# LAW MAKING IN AMERICA

The Story of the 1911-12 Session of the Sixty-second Congress

LYNN HAINES

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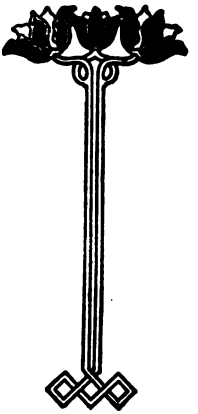

## IN THE BEGINNING.

It was the discovery of a political law which led to this attempt at revelation of congressional conditions. In Minnesota, a few years ago, a certain corrupt politician was a candidate for re-election to the state legislature. His success seemed assured. Personally very popular, he had practically no opposition; he belonged to the predominant party; the second term custom decreed that he should be returned; not more than a dozen in his district were aware of his real official character. One of these twelve, however, had his record carefully analyzed and a digest given to every elector. The result was his defeat, overwhelmingly, by an unknown man.

There followed other experiments, first in isolated cases and then quite generally. In the end it was undeniably demonstrated that the people could be trusted—that the rank and file always will act upon accurate information as to the public character of candidates; that if the actual record of any aspirant for public position is placed before the people, they will elect or defeat him according to the measure of his merit and their own welfare.

Back of the political phases of such work, lies the deeply fundamental element of enlightenment, education.

It is a sincere belief in this publicity principle that inspires me in this effort. The largeness of the field, the great need, the burdening responsibility, weigh upon every word.

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That is the purpose of this volume—to carry to the country an adequate and authentic disclosure of its law-making bodies. It is my hope and expectation that a story of each session of congress may become an annual institution. As this is the first of that series, I have devoted a large part of its pages to a portrayal of the machinery and methods of national legislation. There must be an understanding of the general scheme of law making in advance of a study of its details. If a community were confronted with an epidemic of typhoid, no individual case or cases would be as important of determination and remedy as the sources of the disease as a whole. Congressionally, there are certain elements that influence the character of all federal law. In this it shall be my aim, not so much to record the history of legislation itself, as to uncover the conditions of law making.

Were it not my duty, as it is my desire, to follow this course, I would be forced to do so by the peculiar characteristics of the present congress. To a degree never before approached in any session, the records, so far as they are shown in the printed proceedings, mean little and reveal little. In the case of the House of Representatives, the roll calls, with only a very few exceptions, are utterly unreliable as a means of determining the real attitude of members. The democrats, almost to a man, caucus bound, have voted as a unit on all occasions. The

republicans, being in the minority and representing the party of protest, have usually voted in such a way as to make it impossible to separate progressives from reactionaries.

Whatever your inclination as a student or mine as a reporter, it is necessary, therefore, to delve more deeply than the pages of the Congressional Record. We must go to the caucus, and into many an ulterior situation, if we are to measure the events and individuals connected with national law making in America.

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At a time when partisanship is being discredited and disregarded by the people, it has been re-enthroned in the lower house of congress. Myself a political infidel, with no party gods to worship and to follow wherever they may lead, I deeply deplore the part in these pages that politics must play. Political duplicity, personal and party, is the big fact about congress.

Those members not influenced by "constitutional cowardice" are led by the hope of political reward. The exceptions are few. I shall try to tell the story, feeling neither fear nor favor.

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There are two distinct and separate steps in the advance toward democracy. These must be taken in their order. First, the government of the nation must be wrested from politicians and special interests. Then, and then only, can come the working out of democratic theories of government. Political democracy must precede industrial democracy, which is the goal of all political endeavor.

The first step will not be difficult, nor is it far in the future. When the people are given workable instruments of control over officials and legislation, in state and nation, it will soon mean the complete restoration of government into their own hands.

The ultimate and far greater conflict between the theories of cooperation and competition will come after that, and there will be endless other things for democracy to do. Otherwise democracy would die.

That same principle of precedence, of instrumentality and result, applies in this study of national legislation. First, there must be provided the opportunity and the machinery of law making. The methods of legislation mean everything. The legislative system that prevails not only determines the character of legislation, but also whether or not there shall be legislation on any subject.

It is my chief duty, therefore, to lead you down the main thoroughfare and out into the avenues and alleys of the present system of making laws for the American people. Let me ask, as a special and essential favor, that you leave behind your prejudices and any preconceived ideas of what the journey will reveal.

## CHAPTER I

### *FROM REED TO UNDERWOOD*

It takes time for one to get an adequate view of big events, or even to distinguish that events are big. When Reed and McKinley clashed for the Speakership of the House of Representatives, in 1889, we saw little in that contest save a rivalry for advancement between two public men. Yet, had McKinley won, subsequent political history might have been quite different. But Reed was the victor, and there began the growth of those congressional conditions which form the background of my story.

*Cannonism is gone. In its place the House has shifted to another system, just as vicious and equally unfruitful. The new methods are those of Aldrichism during the best days of the oligarchy in the Senate.*

In the beginning of Reed's reign as Speaker, the House was characterized by more of mobbishness than ever before or since. Members were ungoverned and ungovernable. Students of that parliamentary period will remember the "no quorum" difficulties that so often completely obstructed the public business; and that under certain privileged motions a half dozen men could filibuster for hours, days or weeks, whenever the spirit moved them.

In this crisis came Reed and the Reed rules. The situation seemed to justify an extreme remedy, and that was the kind provided. Reed ruled over the refractious few with an iron hand. He enlarged the powers of the Speakership. He broke ground and sowed seeds which later ripened into Cannonism.

McKinley was of a different type. Naturally not a dictator, he never could have performed the miracle of personal power that Reed accomplished. Had McKinley become Speaker, the crisis of that hour must have turned in another direction. There might not have been an advance toward orderly and true deliberation, but it does seem certain that Cannonism would not have developed subsequently as it did. But McKinley did not become Speaker; Reed was successful, and he made the speakership the second most powerful and important office in the United States. Under Cannon the nation reaped the whirlwind.

Cannonism did two big things: first, it held in check, for years, the progressive movement in the House; and, second, it aroused in the American people such blind and unreasoning resentment that they grew to consider "Uncle Joe" the only evil in law making. There was a general demand that Cannonism be abolished, but apparently no thought was given to the legislative system which was to take its place. The assumption seemed to be that with Cannonism gone the problem of legislation would be solved.

Now Cannonism is gone—completely gone. Let us see what has replaced it. When that step has been taken, understandingly, it will be a simple matter to comprehend what this session did or failed to accomplish.

The country is fairly familiar with that condition in law making known as Cannonism. Under that system legislation depended wholly upon the Speaker. Each day's work was programmed in advance, and no deviation was permitted. No member could gain recognition without first obtaining a private interview with the Speaker, and arranging in advance for the special privilege of the floor. His prayer for recognition had always to be accompanied with an explanation of the purpose for which he desired to make a motion or a speech. As we look back upon it now, the Cannon method seems too savagely sultanic to be recent and real.

CANNONISM

During the long fight for emancipation, on February 18, 1909, Congressman William P. Hepburn of Iowa thus described one phase of the unspeakable Cannon system:

"I am told that in every parliament, in every legislative convocation the world around, that old rule that required the presiding officer, when not prohibited by another rule, to recognize that man upon whom his eye first rested prevails. It was the rule of this House. It was the rule when the speaker's chair was made memorable by the occupancy of Henry Clay, of James G. Blaine, of all of the older distinguished men who have given renown to the House by the manner in which they presided over its deliberations. But in the Forty-sixth Congress that rule was changed. In the early part of that Congress the rule read:

"'When any Member is about to speak in debate or deliver any matter to the House, he shall rise from his seat and respectfully address himself to Mr. Speaker, and shall confine himself to the question under debate and avoid personality.'

"Later on in that same Congress that rule was changed by the interpolation of the words, after 'Mr. Speaker,' 'and on being recognized shall proceed,' so that it read:

"'He shall rise from his seat and respectfully address himself to Mr. Speaker, and on being recognized shall proceed, and shall confine himself to the question under debate and avoid personality.'

"The interpolation of those words took away from the individual the right to be heard, made him a mendicant at the feet of the Speaker begging for the privilege to be heard, and gave to the Speaker, without appeal, the right to deny to that Member or to his constituency the power and the right to present any matter to this House. There is no appeal, Mr. Chairman, from the decision of the Speaker upon the question of recognition, no matter how arbitrary the decision, no matter how the mailed hand of the tyrant may be present; there is no appeal. His voice is the final voice, and he can stifle when he chooses the voice of any Member in this House."

Cannonism can be summed up very briefly. The Speaker, as a member and the dominator of the Committee on Rules, made the rules which gave him absolute and arbitrary power over all the activities of the House. He compelled complete obedience to his rules through committee assignments.

Here is an important point to keep in mind as we proceed with the development of the new order in the House. Under Cannon, the secret caucus and such agencies as the Rules Committee and other standing committees, existed and possessed vast powers, but were rarely used to retard legislation. The Speaker was supreme and sufficient in himself for all ordinary purposes of obstruction. But when the system shifted, as will be shown in detail, the special interest-professional politician obstructionists called into service their *secondary lines of defenses*—special rules, the caucus and standing committees.

When Cannonism was enjoying its best days in the House, an entirely different system flourished in the Senate. That was known as Aldrichism. In that machine the presiding officer counted for little, excepting to execute orders. And in no other vital respect did the Senate system resemble Cannonism. The Senate organized itself, theoretically, through a "committee on committees." Back of everything was the secret majority party caucus. The floor leader was the big personal power.

ALDRICHISM

Senator La Follette, the pioneer opponent of Aldrichism, thus characterized the "committee on committees" system:

"Under the present system of choosing the standing committees of the United States Senate a party caucus is called. A chairman is authorized to appoint a committee on committees. The caucus adjourns. The committee on committees is thereafter appointed by the chairman of the caucus. It proceeds to determine the committee assignments of Senators. This places the selection of the membership of the standing committees completely in the hands of a majority of the committee on committees, because in practice the caucus ratifies the action of the committee, and the Senate ratifies the action of the caucus. See now what has happened: The people have delegated us to represent them in the Senate. The Senate, in effect, has delegated its authority to party caucuses upon either side. The party caucus delegates its authority to a chairman to select a committee on committees. The committee on committees largely defers to the chairman of the committee on committees in the final decision as to committee assignments. The standing committees of the Senate as selected, Mr. President, determine the fate of all bills; they report, shape, or suppress legislation practically at will."

This was a typical caucus proceeding: The republicans of the Senate gathered in response to a call from one of their number. The old wheel horses of the machine entered at almost the same moment. Without a second's loss of time, Aldrich was on his feet and:

"I move that Senator Hale be chairman of this caucus," which carried, of course.

Then, without the loss of another second, Aldrich arose again to "move that the chairman appoint a Committee on Committees," which being a part of the pre-arranged program, carried more quickly than the words can be written. Whereupon Hale, Aldrich's selection for chairman, appointed Aldrich chairman of the Committee on Committees, and the Old Guard machine was well on its way.

Under Cannonism, Cannon, the presiding officer, organized and dominated the House. Under Aldrichism, Aldrich, the floor leader, named the committees and dominated the Senate. Ufider the Cannon system, the Speaker was supreme, the floor leader a figurehead. Under the Aldrich system, the floor leader was supreme, the presiding officer a figurehead.

The big fact in both systems was control by a few.

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The progressives in Congress who fought both Cannonism and Aldrichism evolved a third legislative system, one never put into practice because that element was always a minority. This new system was simple, direct, adequate. It was based upon the principle that the normal purpose of rules should be to advance legislation. Its foundation tenets were: (1) the full light of day upon all the acts of Congress and of every subsidiary body; and (2) the fix-

THE WAY OF THE PROGRESSIVES

ing of responsibility for all that Congress did or did not do, not upon the Speaker, or a caucus, or a party, or standing committees, but directly upon a majority of all the members of Congress.

The progressives demanded that there be an end of caucus "legislation," that the caucus be converted into a conference, leaving all the details of legislation to be worked out in the open by the House as a whole.

The progressives sought to compel standing committees to keep a complete public record of all their acts, and to be subject to the authority of a majority of the House at any time.

These three legislative systems—Cannonism, Aldrichism, and the fundamental reforms in law making methods contended for by the progressive group—were definitely before the democratic majority when the present House was organized.

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UNDERWOODISM

Perhaps comparatively not many of the millions of voters understood their own aspirations in this respect, but emancipation of the majority was the chief issue in the congressional elections of 1910. The people struck, blindly, at Cannonism. Not knowing exactly what it meant or how it would work, they wanted the House to organize itself. They wanted the Speaker dethroned from the Rules Committee. They demanded a complete change of system in the House. Accordingly the democratic minority in the Sixty-first Congress grew to the democratic majority of 65 in the Sixty-second. Clark was chosen Speaker and the system did change, as radically as the most radical could desire. Let us examine into the new House situation, first comparatively and then as a separate system:

| UNDER CANNON | UNDER UNDERWOOD |
|---|---|
| The Speaker was supreme and omnipotent. | The Speaker, excepting in one comparatively unimportant particular, is shorn of power. |
| The majority party caucus was rarely used or needed. | The majority party caucus has become the dominating element. |
| The Rules Committee, dominated absolutely and arbitrarily by the Speaker, made the rules, and was a law unto itself. | The Rules Committee, dominated by the floor leader and the caucus, makes the rules and retains all its old powers. Its reports are privileged, its acts or omissions subject to no higher authority. It is a steering committee and can control the fate of all legislation. |
| Standing committees were appointed by the Speaker. | Standing committees are appointed by the Ways and Means Committee of which the floor leader is chairman. |

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|---|---|
| Standing committees were wholly free from control by a majority of the House, unless the Speaker interposed his arbitrary power in behalf of the majority. | Standing committees are today even farther removed from control by the majority than when Cannon was deposed as speaker. |
| Standing committees kept no public record of their acts. | Standing committees still act in secret. |
| The floor leader was a figurehead. | The floor leader is supreme. |

Fundamentally, both the Cannon and Underwood systems were based the same—upon the caucus. Although springing from the same source, their manifestations and methods were completely different. The first operated through the Speaker; it was direct, and in the open. The second is characterized by many confusing crooks and devious details; the caucus has its agents; they in turn work through the caucus, the Rules Committee and various other instrumentalities of manipulation and delay. The main cogs in the Underwood machine are: (1) the caucus; (2) the floor leader; (3) the Rules Committee; (4) standing committees; and (5) special rules. When these have been considered, and we have also examined into the abuse of Calendar Wednesday and seen how the House was organized, you will have a fair understanding of the conditions which replaced Cannonism.

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THE DEMOCRATIC CAUCUS

Following the congressional elections of November, 1910, which gave the democrats full control of the House, the members of that party caucussed at the capital. This was on January 19, 1911. In that caucus the new system took definite shape. It was then determined that—

Clark should be Speaker;

Underwood should be floor leader;

Underwood should be chairman of the Ways and Means Committee;

The democratic members of the Ways and Means Committee should organize the House by naming its committees;

The selection of republican committee members should be left to the determination of a majority of the minority party;

The democratic caucus should not be open; and

The caucus should determine the attitude and legislative action of the democratic majority; in other words, control the whole House.

Since the secret caucus is not only the cornerstone, but the entire foundation, of the new order in the House, its principles and practices

should be clearly understood. Shorn of all pretence, the caucus is a cowardly contrivance to manacle the majority and enable a minority to control. Every member who participates in a caucus is bound to abide by the decisions of that caucus, and to carry out its decrees. Take away from a caucus that cardinal tenet and it is no longer a caucus. Without the power to bind its members to unanimity, a caucus becomes only a conference. Obviously, then, a majority of the caucus controls its own minority, and, when it is a caucus of the predominant party, a majority of the caucus controls also the whole membership of the House.

*Certain figures should be before us. The present House of Representatives has 393 members. Of these 229 are democrats, giving that party a majority of 65. All democrats are members of the caucus. One hundred and fifteen constitutes a majority of the caucus. It requires no special astuteness, either mathematically or politically, to reach the only possible conclusions:

*A bare majority,* 115 *members, of the caucus can bind, gag and deliver, not only its own minority, but the House itself;*

*One hundred and fifteen are more powerful than the other* 278 *members of the House;*

*A majority of the democratic caucus controls all legislation.*

At this point I want to offer in evidence the rules of the democratic caucus:

DEMOCRATIC CAUCUS RULES

1. All Democratic members of the House of Representatives shall be prima facie members of the Democratic Caucus.
2. Any member of the Democratic Caucus of the House of Representatives failing to abide by the rules governing the same shall thereby automatically cease to be a member of the Caucus.
3. Meetings of the Democratic Caucus may be called by the Chairman upon his own motion and shall be called by him whenever requested in writing by twenty-five members of the Caucus.
4. A quorum of the Caucus shall consist of a majority of the Democratic members of the House.
5. General parliamentary law, with such special rules as may be adopted, shall govern the meetings of the Caucus.
6. In the election of officers and in the nomination of candidates for office in the House, a majority of those present and voting shall bind the membership of the Caucus.
7. In deciding upon action in the House involving party policy or principle, a two-thirds vote of those present and voting at a Caucus meeting shall bind all members of the Caucus; provided, the said two-thirds vote is a majority of the full Democratic membership of the House, and provided further, that no member shall be bound upon questions involving a construction of the Constitution of the United States or upon which he made contrary pledges to his constituents prior to his election or received contrary instructions by resolutions or platform from his nominating authority.
8. Whenever any member of the Caucus shall determine, by reason of either of the exceptions provided for in the above paragraph, not to be bound by the action of the Caucus on those questions, it shall be his duty, if present, so to advise the Caucus before the adjournment of the meeting, or if not present at the meeting, to promptly notify the Democratic leader in writing, so that the party may be advised before the matter comes to issue upon the floor of the House.
9. That the five minute rule that governs the House of Representatives shall

*These figures do not take into account recent vacancies through deaths.

govern debate in the Democratic Caucus, unless suspended by a vote of the Caucus.

Rule seven was a compromise which in no way altered the situation. The democratic majority is more than two-thirds reactionary, and it was perfectly safe, at the same time having an appearance of greater fairness, to specify that two-thirds, instead of a majority, should govern in caucus action.

Actually, less than a majority of the caucus controls. It is very seldom that more than three-fourths of its membership attend the caucus; often the number is less. But custom decrees that a majority of those voting be considered binding and that, rather than the literal rule, has been observed. In the caucus vote to decide whether the money trust should be investigated by a partial or an impartial committee, 115 voted with Underwood, and that vote bound all the caucus, and determined the action of the whole House.

The history of this money trust resolution illustrates well both the operation and application of caucus principles. Congressman Lindbergh introduced a resolution providing for a special committee empowered to make a full investigation into banking and currency conditions. Judged by the immediate activity against it of Wall Street's representatives in Congress, this resolution was the most important matter brought before the present session. It was referred to the Rules Committee, a subsidiary body over which the rules give the House no authority. If six of the ten members of the Rules Committee refuse to report to the House, the other 387 members of the House are powerless to compel action.

The issue raised by the Lindbergh resolution might have remained buried in the Rules Committee, as the resolution itself and other vital questions have been smothered in that body, but public sentiment made that course unsafe. Accordingly, a substitute resolution was presented, not to the House of Representatives, but to the caucus. What followed in that case exposes a number of principal and collateral evils of the caucus system.

The democrats were divided. One hundred and fifteen voted with Underwood, Fitzgerald and Clark, who might be called the caucus cabinet, to have the investigation made by the Committee on Banking. Sixty-six voted with Henry and the progressive democrats in favor of conducting the investigation through a special committee not composed chiefly of bankers or bankers' attorneys. The 66, being outvoted in the caucus, became completely enslaved and submerged in the 115. When the question later came before the House their votes were joined with those of the caucus majority.

That takes us another step. The 115, by controlling the caucus, at first with only their own votes, nullified in advance any different action that the other 278 members might have taken on the floor of the House. But this control of the whole House by a majority of a caucus, or, more truthfully, by a majority of those voting at a caucus, falls far short of expressing the inequities of the system.

There were three money trust resolutions. First, the one by Mr. Lindbergh, which was sent to the Rules Committee and is still interred there. Second, one offered by Mr. Henry, modifying the Lindbergh resolution and introduced for the further purpose of taking the

matter out of the hands of a republican and giving the caucus jurisdiction. And third, the substitute proposed by Mr. Pujo, which the caucus approved.

After the caucus had acted, binding all its members, hand, foot and mouth, the next proceeding was to gag the republican minority. The Rules Committee, in a privileged report, brought the Pujo resolution into the House, *limited debate and shut off amendments.* Cannonism never conceived and carried out anything more undeliberative, more unrepresentative than that. Members had absolutely no opportunity to do other than vote for or against the Pujo resolution. The Lindbergh resolution was buried, away from the House. Probably more than half of the House would have preferred to vote on that, or to propose some change, but—

*The caucus not only decided the issue in advance, but also the exact form in which it should be voted upon in the House.*

It was the same with practically every other important question that came before both the special and regular sessions of this congress. A majority of those voting in the democratic caucus, an unofficial body, not under oath, and acting behind closed and bolted doors, usurped and exercised the legislative functions of the House itself. Let me quote the opinions of some of the anti-caucus progressives, congressmen who have succeeded in discrediting and demolishing the caucus in the republican party at this session:

*Charles A. Lindbergh*—"By this caucus system about half the Members resolve themselves into a body, and by a bare majority tie up the rest and make them vote in the House as they could not in the caucus, and thereby destroy their entire influence in the House and make the membership generally ineffective in this House. The tail wags the dog, figuratively speaking.

"The members of a caucus are not as such under oath; as such they have no connection with the people; they are a self-constituted body, usurping the rights of the House.

"No member has any influence on the floor of the House after the caucus has once made its decision. No act, speech, or deliberation in the House now changes the result of caucus action.

"The House has capitulated to an unofficial body at the present time known as the Democratic caucus."

*Henry A. Cooper*—"Legislation by secret caucus is defended by some good men, but it opens the way for mediocrity and cowardice, shrinking from duty, to go before the people and say, 'It was not what I wanted at all, nor what I thought right, but the caucus told me to vote for it and I obeyed.' "

*E. A. Morse*—"There are 391 members of this House. Your caucus rules provide that on a matter of principle two-thirds of those present, provided that is a majority of your membership, shall bind all those present. You never have all of your members present, but, for the sake of argument, let us suppose that all attend. In this case 152 men can bind the whole 228, and they can pass any bill that they may desire to pass; 152 men control the whole 391 on matters of principle. As a matter of fact, a much smaller number controls.

"This is not government by the people, or government by parties, but rather government by a ring in a caucus."

*George W. Norris*—"Then these men take the measure that they have considered in this secret caucus, bring it before the country, and go through the silly formula of permitting men to offer amendments, and the Members who are pledged by that secret caucus vote down every proposition, regardless of whether it appeals to them favorably or otherwise. Thus has the caucus been able to control the action of officials of the government.

"This is wrong in principle, and the American people will not stand for it indefinitely. When they realize and understand that their Representatives' hands *are tied and their* Representatives' votes are controlled by a secret caucus, by un-

official action of that caucus, they will rise in their might and condemn any party that stands for it.

"You have said that you want to get rid of the czar. You have renounced the czar and sworn allegiance to a king. You have jumped out of the frying pan into the fire. Hold up your manacled, wounded, bleeding, shackled hands and let the country see your parliamentary slavery! Why do you not renounce your allegiance to King Caucus and give your consciences an opportunity to act?"

Let us illustrate, specifically, the caucus conditions to which these quotations refer. As an example, the Canadian reciprocity bill was first taken up in the democratic caucus; it was debated in that secret, unofficial body; amendments were considered. Then, a majority of those present at that caucus, on April 11, 1911, having agreed upon the bill in final form, undeniably a function only of the whole House acting in the open, bound all the members of the caucus, excepting a few who were then excused, to vote for the bill "without amendment or motion to recommit." That was as plainly a usurpation of the deliberative law making functions of the House of Representatives as could be conceived.

In addressing the democratic side on this indefensible situation, Mr. Lindbergh said:

"Why did you allow many days for general debate on the reciprocity agreement after you had already decided in a democratic caucus that the vote of the democrats should be in the House exactly as the caucus dictated? You knew the debate would not influence the result. Did you do it to make the people believe that the House is a deliberative body or was it done to give members a chance to make speeches for home consumption?

"Why on every important bill do you call a caucus and bind your members to vote as a unit in the House when they do not in caucus? It is because your caucuses are held to deprive the House of its deliberative functions, and to rob the House of its most important right and duty.

"It is not the first time in history that the majority membership of this House has committed treason, nor is the democratic caucus the only caucus to have committed the offense.

"I am not partisan in this consideration. I am talking against treason, and I unhesitatingly say—and I say it with the laws of the country and the constitution in mind as my guide—that any member who surrenders his action to the control of a caucus whether it be of one party or of the other, violates his oath, is a traitor to his constituency, and commits treason against his country. I know that in this statement I am challenging the opposition of the trusts and their organs, for they will fight for the caucus system, and they will criticize me for opposing it."

Almost every question at all vital to the interests of the people was decided in this secret, unofficial, undeliberative, unrepresentative way. The majority party caucus organized the House, dictated such changes as were made in its rules, and not only robbed the House of the legitimate fruits of deliberation, but also, excepting in a few cases, of the opportunity to deliberate.

Bills and resolutions *were debated and amended in secret caucus* and then some such resolution as the following, adopted on the motion of Mr. Underwood in the case of the chemical bill,—

> "RESOLVED, That the bill adopted by the caucus revising Schedule H (the chemical schedule) is hereby declared to be a party measure and the members of the caucus bind themselves to vote for the bill without amendment or motion to recommit"—

made any later attempt at deliberation by the whole House a hollow mockery.

Under the Underwood system, which has taken the place of Cannonism, the majority party caucus,—

Having no official responsibility to the people;
Dominated by a coterie of reactionaries;
Acting in secret sessions,—
and not the House, determines the details and final results of all legislation.

No one can or will attempt to deny that, through this perverted caucus system, less than a hundred members dominate the House with a majority of nearly four hundred. Where does this all powerful minority come from, and what do they represent?

The strictly southern states of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, West Virginia and Virginia, have a membership in the democratic caucus of 112, enough to control in ninety-nine cases of every hundred. Add the 16 Tammany-machine made democratic representatives from Greater New York and it gives 128, thirteen more than a majority of the caucus.

It would be inexcusable to raise this question of southern control through any sectional impulse; the issue is deeper and vastly more vital than that. Today government is being measured according to its advancement toward democracy. The South is at least two decades behind other parts of the country, both politically and industrially. This is not necessarily the fault of the South. *Its race problem compels it to be unprogressive.* Northerners under the same circumstances would be reactionary. Political progress must be based upon political freedom—upon laws and institutions which give to the people an adequate authority over elections and legislatures. That condition cannot exist in the South because if it did the blacks would dominate.

*The reactionaryism of the South is explainable, but there is no excuse, no justification, for the fact that control of Congress is absolutely in the keeping of a mere minority of representatives from that section.*

I do not mean to infer that all Representatives from the South are reactionary. There are a number of well equipped, independent, progressives from that section, men of the type of Roddenberry, Sisson, Harrison, and others; but those exceptions do not alter the situation. For every southern progressive there can be found five democratic reactionaries from the northern states.

In full and recent view of both Cannonism and Aldrichism, people well may marvel that the progressive democrats permitted their own stultification by participation in a caucus which compelled them always to vote with the reactionaries of their party. The argument used to bring about this result was neither subtle nor sufficient, yet it welded the majority into a compact body. It was: "We democrats must present a united front on everything; a democratic administration is almost within our grasp; only complete harmony in our ranks can give us control of the government"—which means the offices. As extreme privation has driven many a person into the penitentiary, so in this case did political hunger lead to caucus incarceration. Once in there was no escape, even on probation.

It should be remembered that about seventy-five of the democratic 229 were new members, and inexperienced. Perhaps this fact may *explain* why a number were caught in the caucus net.

It is noteworthy, too, that the caucus chains are galling to many; that there are signs of insurrection and mutiny. The persistent and determined independence of certain progressives has made it impossible ever to again assemble the old republican machine on a caucus basis. The opposition of these men to the corrupting caucus system, together with the irrepressible insurgency of such of their own members as Gray and Roddenbery, has sown seeds of dissension and dissatisfaction in the ranks of caucus democrats. The end can come in only one way. I predict that the reactionary leaders from the South will never again be able to so organize a caucus that every participant will be its shackled slave. I shall be surprised and disappointed if several do not bolt, in the next session of this Congress, and declare their freedom to rightly represent constituents on the floor of the House.

But all that is speculation—and hope. Whatever its internal turmoil may be, the democratic caucus is still extant, compact, the dominating force which enables scarcely more than a fourth of the House of Representatives to hold captive the rest of that body.

* * * * *

THE FLOOR LEADER

It has been demonstrated that the base of the new House machine is the caucus, an essentially corrupting and subversive contrivance which gives a few control of the entire membership. The chief exponent of this caucus, under the present system, is the floor leader. The floor leader is also the chief figure in the caucus. Backed by his own power over committee appointments, reinforced, when necessary, by two other potent forces—the Speaker, with the prestige of his position, and the chairman of the Appropriations Committee, with his hands upon the purse strings—the floor leader dominates the caucus. The system starts and stops at the same point, only the circumvention serves to diffuse the responsibility for results in vague, impersonal places, which is very unlike the old order in which the Speaker openly braved the blame for all that the House did or did not do.

Underwood and Clark were rival candidates for Speaker of the present House of Representatives. Clark was given the speakership—with some of the prestige, but little of the power, that formerly characterized that position. Underwood, on Clark's motion, became chairman of the Ways and Means Committee, which carried with it, at least indirectly, the power to select the committees, influence the rules, dominate the caucus, and be floor leader—the predominant personal power. The stronger man won. Clark was given the shadow; Underwood kept the substance. The Speaker became a figurehead, the floor leader supreme, which was the Aldrich system.

The caucus would have presented a sorry spectacle without special rules through which to carry out its decrees and legalize its secret acts in the House. The House could not have been robbed of its deliberative functions without these "gag" rules, which were of two kinds: (1) those engineered directly by the floor leader; and (2) those reported from the Rules Committee. Both had to come from sources that were "privileged."

By virtue of his office as chairman of the Ways and Means Committee, the floor leader was a privileged character; that is, he could ask recognition at almost any time either to make a motion to restrict debate, or shut off amendments, or both. A part of Rule 56, on this point, is as follows:

**56. The following-named committees shall have leave to report at any time on the matters herein stated, viz: The Committee on Rules, on rules, joint rules, and order of business; . . . the Committee on Ways and Means, on bills raising revenues.**

Thus, whenever the caucus had "legislated" on any tariff question and was ready for the farcical performance of bringing the matter before the House to secure its foreordained approval, the chairman of the Ways and Means Committee could get recognition whenever he pleased to improvise what amounted to a special rule to prescribe how the House should act upon the measure.

Clothed with this perpetual privilege of recognition, and backed by his caucus, the floor leader had it in his power to make a Punch and Judy show of the House at any time.

A little history in connection with H. R. 21,213, revising the sugar schedule, illustrates the system. This bill was introduced into the caucus March 1 and acted upon by that body in the usual way. Then followed the superfluous formalities, made necessary only because caucus "legislation" is not legal. After the caucus had approved the measure and bound its members to stand by the program through to its final passage, Mr. Underwood introduced the bill into the House the following day, March 2. To comply with another formality, it was referred to the Ways and Means Committee, from which it was reported back to the House March 5. Eight days later, Mr. Underwood called it up and, after permitting a day of debate, with a number begging for the privilege of being heard, he made the following motion:

**"I move that all general debate on this bill close in 10 minutes, and on that motion I move the previous question."**

The previous question itself was not debatable and when carried, as it was by a vote of 163 to 131, only Broussard, Dupre, Estopinal, Gray, Martin of Colorado, Ransdell, Rucker of Colorado, Taylor of Colorado, Watkins and Wickliffe of the democratic causus voting against the gag, it shut off debate on the Underwood motion. Then the motion to close the debate in 10 minutes carried, 157 to 124.

A few brief quotations from the Congressional Record at this point are illuminating. Just before the floor leader forced this gag rule, Mr. Warburton said:

**"Mr. Chairman, I have looked over the *Record*, and the only bill placing sugar on the free list, which was introduced last session, was the bill introduced by myself. Be that as it may, having introduced this bill, I want to ask an opportunity of addressing this House for at least half an hour on this bill. I desire to get that much time. I can not get it from the gentleman who controls the time on the republican side, because he does not like the language that I shall use."**

Following the roll calls which adopted the previous question and closed the debate in 10 minutes, there occurred this colloquy:

The CHAIRMAN. By order of the House, general debate is limited to 10 minutes.

Mr. UNDERWOOD. Mr. Chairman, I will say to the gentleman from New York (Mr. Payne) that I will yield him half of my time (ten minutes).

Mr. PAYNE. Mr. Chairman, I desire to take the floor in my own right, inasmuch as the other side of the House has already consumed 88 minutes more time than this side. My desire is in accordance with the usual rule and practice of the House.

Mr. UNDERWOOD. Mr. Chairman, I will state to the gentleman from New York that I offered a liberal amount of time for debate on this bill, and now offer an equal division of the time between the gentleman and myself. The proponents of this bill are entitled to close, according to all the precedents of the House. If the gentleman from New York desires half of the remaining time, I will yield it to him.

Mr. PAYNE. If the gentleman from Alabama has not opportunity to close the debate, it is his own fault, because he made the motion to close this debate in 10 minutes from now, and his attention was called to it by me, and the figures were given from the desk showing that his side had consumed 88 minutes more than our side. Under all parliamentary law and the practice of the House since I have been a member of this body I am entitled to these 10 minutes.

Mr. UNDERWOOD. The excess time of which the gentleman complains as used by this side was yielded to gentlemen who spoke in opposition to the bill on this side of the House, so that more time has been consumed in opposition to this bill than in favor of it. . . . I will state to the gentleman from New York that I propose to close this debate, but if the gentleman desires one-half of the time remaining I will yield it to him. Does the gentleman desire me to yield half the time?

Mr. PAYNE. I desire to get all the time I can.

Mr. UNDERWOOD. I decline to yield to that proposition, but I am willing, if the gentleman wants it, to yield him half the time. I yield five minutes to the gentleman from New York (Mr. Payne).

Mr. PAYNE. Mr. Chairman, I have been a member of the House now for about 28 years, and this beats all the performances that have ever been exhibited here by any party, by any leader, by any gentleman who is a member of the House. We are not only confined to five hours' debate on this important measure, but this morning, after offering us an hour's debate in addition to what had already been had, and asking us to consent to yield half of that time to them, when they had had 40 minutes more time than we had in the debate yesterday, and because we would not accept that monstrous proposition in regard to debate, the gentleman from Alabama immediately moved that general debate be closed in 10 minutes.

In a subsequent chapter, where we come to a consideration of the various tariff bills, there will be revealed much more of this sort of procedure. My only purpose here is to introduce the floor leader, not as an individual, but as an institution, and to suggest his arbitrary bossship of the House under the régime which replaced Cannonism.

What are some of the other powers and privileges of the floor leader under the new Underwood-Aldrich system?

Cannon's control of the House and Aldrich's control of the Senate was based in each case upon control of the committees. The special privilege of making committee appointments carried with it then, as it does to-day, a kind of vested right in the committees, especially the chairmen of committees.

Good committee chairmanships have a direct money value to members. They bring additional office conveniences and more clerical assistance. Each House member is legally allowed $1,500 a year for secretarial service. When the chairman of a committee, there is at his command also at least one committee clerk. In many cases members who are not workers would find it possible, if given good chairmanships, to get along with only the committee clerks, thus saving the

annual allowance of $1,500. Committee chairmanships, therefore, represent a subtle, indirect, form of bribe; and the power to appoint committees, regardless of whether there is or is not that intention, carries with it the subserviency of those beneficiaries who are sordid and selfish.

A majority of members are far beyond the influence of such considerations; but they are few indeed who can rise above the feeling that there is an obligation resting upon them to "return the favor" after being given commanding committee positions. Prominence in committees is the goal of all members; the system makes it so. And when the system is such that congressmen owe their advancement in this direction practically to one man, or at least to an oligarchy of the House, it is not at all strange that they should feel constrained either (1) to pay for the preferment in active work, or (2) be bound to silent service with the machine.

The democratic caucus, in the beginning, gave into the hands of Underwood the chief part in the appointment of committees. At the preliminary caucus, on January 19, 1911, months before the Sixty-second Congress convened, the democratic members of the Ways and Means Committee were delegated to organize the House of Representatives, and Oscar W. Underwood was then chosen chairman of that all-powerful committee. Thus there was added to the constitutionally imposed powers of the majority part of the Committee on Ways and Means the functions of a "committee on committees," such as Aldrich used in the Senate when the old oligarchy was supreme. There was this difference, however: The organization of the present House was virtually done between January 19, 1911, and April 4, 1911, *when the House was not in session.*

* * * * *

**How the House Was Organized**

The majority members of the Ways and Means Committee are directly responsible for the placing of democrats upon the standing committees; and indirectly, but no less actually, are they accountable for committee assignments on the republican side.

In previous sessions, when in the minority and powerless to do more than protest, the democrats as a whole proclaimed themselves the progressive party; they asserted their sympathy with the progressive republican group that had borne the burden of the fight for freedom in the House. When given the opportunity and the power to place progressive republicans in committee positions where they could best advance the principles for which they stood, the democratic majority surrendered them to the mercy of the Cannon element in their own party. It would be impossible to over-emphasize this proof of the political duplicity of the Southern democrats who organized the House and controlled its activities.

*Instead of working with and through republican progressives, the democrats* (1) *not only did not give them influential committee places, but* (2) *so assigned them that their best energies had to be given to petty details.*

An analysis of the results appears to prove that it was the deliberate intention to place those progressives best equipped and inclined to work hardest for the people in positions where relatively unimportant matters would take practically all their time. A few examples will suffice:

Sydney Anderson was given places on the committees on Elections, and Pensions, where election contests and the details of pension legislation made necessary months of slavish devotion to details. Had not Anderson been an incessant worker, he could not have found any time for important legislation.

Henry A. Cooper and John M. Nelson were others who were buried in elections committee details.

Charles A. Lindbergh, one of the oldest and best equipped men in Congress, was given places only on Coinage, Weights and Measures, and Claims, the latter having to do with a multiplicity of time-taking details.

E. A. Morse had to rise above Insular Affairs, and War Claims.

Stanton Warburton had Indian Affairs, and Expenditures in the War Department.

William Kent, preeminently qualified for a bigger field, was given only Reform in the Civil Service, and Industrial Arts and Expositions.

Charles R. Davis, French, Helgesen, Jackson, Lafferty, La Follette, Stephens, and Woods were likewise placed upon unimportant or "dead" committees.

There is no attempt here to do more than indicate the general policy, or at least, the general result, that prevailed in the committee placing of republican progressives.

The story of how the republican progressives were betrayed into the hands of the reactionaries of their party is interesting and significant. At a meeting of the democratic caucus, April 1, 1911, Finly H. Gray, the only consistent anti-caucus insurgent among the democrats, offered this resolution:

"Be it Resolved, by the Democratic Members of the House of Representatives, That the insurgent republican members of said House, acting as a body, be recognized as a separate and independent minority party organization, and accorded the right to select from among themselves representation on the committees of the House in such proportion as their number bears to the whole membership of the House."

This Gray resolution did not even come to a vote; *it was ruled out of order in the caucus.* That institution then decided that the republicans, acting as a party, should select the minority committee members, subject to the approval of the democratic majority of the Ways and Means Committee.

Whereupon the republican regulars held a caucus, the first and only one during the two sessions of this Congress. Most of the progressives did not attend, and so strong has that element now become that it is very improbable that another republican caucus will ever be attempted. The reactionaries were in absolute control of this caucus and they delegated James R. Mann, a Cannon lieutenant, to name the republican members of committees. To that end was the Gray resolution ruled out of order in the democratic caucus.

The new House method of organization was thus established. It was unlike the Cannon way, in which the Speaker alone selected the com-

mittees. Essentially it was the Aldrich system. Underwood, backed by the democratic members of the Ways and Means Committee, assigned the democrats. Mann, supervised by Underwood and his part of the Ways and Means Committee, gave the republicans their committee stations. The progressives of both parties were "between the devil and the deep sea."

The three crucial committees, under the new House system, are (1) Ways and Means; (2) Rules; and (3) Appropriations. These committees, because of their special powers, dominate in every direction.

*As the House is now organized there is only a single anti-caucus progressive on the three all-powerful committees.* Lenroot has a place on the Rules Committee. That tells the story of the democratic attitude toward republican progressives.

The republican minority members placed upon the Ways and Means Committee by the Mann-Underwood combination were: Sereno E. Payne of New York, John Dalzell of Pennsylvania, Samuel W. McCall of Massachusetts, E. B. Hill of Connecticut, James C. Needham of California, Jos. W. Fordney of Michigan, and Nicholas Longworth of Ohio, each a leading reactionary from his state. All represented the high protectionist view of the tariff.

The real meaning of this packing of the Ways and Means Committee becomes apparent when one understands that under the special and regular rules debate on tariff legislation was in the hands of the chairman of the committee, who was the floor leader, on one side, and the ranking minority member on the other. Those democrats desiring "time" had to get it from Underwood, and those republicans wishing to speak had to do so through Payne, or in his absence, go to Dalzell for recognition.

The republicans selected for the Rules Committee were: John Dalzell of Pennsylvania, William Wilson of Illinois, Irvine L. Lenroot of Wisconsin, and E. H. Madison of Kansas, later replaced by Philip P. Campbell of Kansas.

As the republican part of the Appropriation Committee, Mann named: Joseph G. Cannon of Illinois, Henry H. Bingham of Pennsylvania, Frederick H. Gillett of Massachusetts, Edw. L. Taylor, Jr., of Ohio, Geo. R. Malby of New York, John W. Dwight of New York, and James W. Good of Iowa.

Only one fact—the crucial fact—need be noted in connection with the controlling democratic part of these three dominant committees. Nineteen of the total thirty-five democratic places were filled by members from Southern states. Ten of the remaining sixteen places were given to the East, leaving the more actively progressive sections of the country practically unrepresented.

* * * * *

CONTROL OF COMMITTEES

Thus far we have found nothing in the new House system that is not almost identical, feature for feature, with the old Aldrich machine in the Senate. The secret caucus was the basis of Aldrichism, as it is of Underwoodism. Aldrich was the indisputable master of the Senate, as Underwood is master in the House. Backed by an oligarchy of reactionaries, Aldrich organized the Senate, just as Underwood has

organized the House. Each became floor leader, the dominating personal power. But we come now to a distinctive difference: The Senate never completely surrendered its deliberative functions, its control of committees; the House, in addition to caucus chains and floor leader domination, ushered in a new era of committee supremacy and special rules on a scale which has no precedent in all congressional history and no justification from any possible point of view.

Under Cannon and the Cannon rules, standing committees (1) acted in secret, and (2) were almost wholly free from the authority of the House. The progressives' fight against Cannonism, before the beginning of the present congress, resulted in a substantial correcting of the second evil. In this session, the House retreated to the old reactionary order and under the present rules—

*There is no way by which a majority of the House can compel reluctant committees to report business to the House.*

Standing committees, still acting in secret and with no public record of their proceedings, are supremely in control of legislation.

As a remedy for this indefensible condition as it existed under Cannon there was provided during the Sixty-first Congress, a Calendar of Motions to Discharge Committees and an opportunity to use this means of meeting the evil. In the early part of the present session this calendar rapidly filled with motions. Progressives filed them in order to advance good legislation; reactionary republicans filed motions to discharge committees and bring certain measures to an open vote in the House because they were playing politics and desired to embarrass the democratic majority.

Led by Underwood and Henry the democrats, caucus bound, took away from the House the power and the opportunity to exercise control of its standing committees. They did not take this backward step openly; the change was shifty and masked against criticism.

On February 3, 1912, the Rules Committee, representing the democratic majority, reported an amendment to the rules, which placed the Calendar of Motions to Discharge Committees after "suspension of the rules" and the "unanimous consent" calendar. By giving these comparatively unimportant matters precedence on the only day of the week when the question of discharging committees could be in order, it was made possible, through filibuster and manipulation, to prevent any and all action under the crucial part of the rule. The change also restored certain arbitrary powers of recognition to the Speaker.

In the fight on this amendment, the right of the minority to offer any amendment was denied in the usual way. Then the new rule was adopted by a vote of 153 to 102. Only Gray of Indiana and Hamilton of West Virginia, of the democrats, voted negatively.

The following quotations are from the Congressional Record:

Mr. NORRIS. Mr. Speaker, if we pass this rule which is now proposed, it would have the same effect as though you wrote across the rule now in the book the following words: "This rule shall have no effect and be of no validity except in cases where the Speaker wants it to be." You clearly place it within the power of the Speaker to completely nullify the Calendar of Motions to Discharge Committees, just as much as though it were not written in the rules of this House. The Speaker has supreme power of recognition in motions to suspend the rules.

He may recognize or not recognize. He has that power now, if we can reach it. The way this rule will be nullified, if the Speaker wants to nullify it, will be for him to recognize some friend on that day to move to suspend the rules. Then another friend can demand a second and 40 minutes of debate can be taken up. He can do that over again, and with roll calls coming in he can exhaust a week instead of a day if he wants to. Then what will become of your motion to discharge committees?

Mr. LENROOT. Mr. Speaker, if this rule is adopted so long as either the Speaker of the House desires to prevent the call of the Discharge Calendar, or so long as the Speaker of the House is impartial enough to recognize members upon the floor without discrimination to move to suspend the rules, just so long will this Discharge Calendar fail of being called at any time in the future.

Their prediction was fulfilled. After this juggling of calendars, the Calendar of Motions to Discharge Committees was not reached a single time. Unless the Rules Committee shall voluntarily come to the rescue with a special rule there is now no way to compel a standing committee to report business to the House.

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THE RULES COMMITTEE

If the Committee on Rules were commissioned directly, by the American people, as a separate and complete congress, that subsidiary body would hardly have more power over legislation than it possessed and exercised during the last session. When acting, as it did, in harmony with the democratic caucus, the Rules Committee could control any situation which might arise, not nominally, but actually and arbitrarily. Let us enumerate some of its special powers:

*A LAW UNTO ITSELF.*—There is no way in which the Rules Committee can be forced to report to the House. It does not even come under the doubtful and inadequate jurisdiction of the juggled Calendar of Motions to Discharge Committees. All its acts, so far as the House is concerned, are voluntary. It would and did obey the secret, unofficial, democratic caucus, but knew no other authority.

On April 9, 1912, Lindbergh introduced House Resolution No. 848, requiring every congressman to file information concerning his property and business interests. This was aimed especially at the Committee on Banking, commissioned to investigate the money trust with many of its members directly interested in banks, but was intended also to uncover the pecuniary interests of representatives on all other subjects of legislation. The point is that this resolution was referred to the Rules Committee and never acted upon; *that there was and is absolutely no way in which the whole House can compel the Rules Committee to act upon any matter over which that body has jurisdiction.*

*AUTHORITY OVER INVESTIGATIONS.*—Practically all resolutions for the appointment of committees to make special investigations are referred to the Rules Committee. A hint of what happened in the case of the Lindbergh attempt to bring about a real investigation of banking and currency conditions has already been given. The Rules Committee has the power to do exactly as it pleases in all such matters; that body can bury, delay, distort, or manipulate at will any investigative resolution; six of the ten members of the Rules *Committee* can smother the proposed investigation, make it a white*wash, or convert it into* a mere instrument of partisan politics.

*SPECIAL RULES,* handed down from the Rules Committee and caucussed through the House are of three kinds: (a) "gag" rules to complement the acts of the caucus; (b) those to meet the intentional deficiencies of the regular rules and permit certain legislation to come before the House; and (c) those which make buffers of certain bills to obstruct others which may have advanced in the routine way. A typical example of each kind should be considered here:

(a) *Gag Rules.*—When the caucus had made "a party matter" of any measure, binding all democrats to support it "without amendment or motion to recommit" there still remained the danger that the minority members might propose amendments which it would embarrass the majority to vote down. Politically considered, the only safe way was to prevent amendments. Accordingly the "gag" rule became one of the distinctive institutions of this session. It enabled a few reactionary leaders to control republican progressives on the floor of the House almost as effectively as democratic progressives were muffled and manacled in the caucus. As has already been pointed out, "gag rules" completed the power of the caucus not only to determine the fate of any proposal, but also the exact and only form in which it could be voted upon in the House.

Many of these "gag rules" were engineered by the floor leader as chairman of the Ways and Means Committee; but the special rules of this character not relating to tariff bills came through the Rules Committee.

Different resolutions, involving different means of investigating charges of graft in connection with government shoe contracts were introduced by Difenderfer and Gardner. Both were referred to the Rules Committee. On February 6, 1912, this committee reported the Difenderfer resolution, with an amendment. The Gardner resolution still remained in the archives of that committee.

Remembering that the rules gave to Henry, Chairman of the Rules Committee, and Dalzell, ranking minority member of that committee, control of the "time" taken in debate, consider this colloquy:

Mr. HENRY of Texas. Mr. Speaker, I would like to ask the gentleman from Pennsylvania (Mr. Dalzell) how much time his side desires for discussion of this resolution?

Mr. DALZELL. How much time does the gentleman suggest?

Mr. HENRY of Texas. I should suggest 30 minutes on a side.

Mr. DALZELL. We ought to have a little more than that, I think; say 40 minutes.

Mr. HENRY of Texas. I have no objection to 40 minutes on a side, and, therefore, I ask unanimous consent, Mr. Speaker, that general debate be limited to 40 minutes to each side; that I be allowed to control the 40 minutes on this side and the gentleman from Pennsylvania (Mr. Dalzell) 40 minutes, and at the end of that time *the previous question be considered as ordered on the resolution and amendment.*

"The previous question" shut off all amendments excepting the one proposed by the committee itself. It is true that the Henry motion fixing debate and thus precluding amendments was adopted by unanimous consent, but that only illustrates the serfdom to which the House had been reduced. Most gag rules were fixed in that way, because the caucus was behind Henry and the democrats would have supported him at any time in a motion for the previous question. Minority members had learned this lesson through many experiences.

In case the House had not silently approved the terms of debate imposed, it might have been given no debate at all.

The Difenderfer resolution reported by the Rules Committee in this case was as follows:

RESOLVED, That the Committee on Expenditures in the War Department be authorized to sit during the sessions of the House, and at such place or places as it may deem necessary.

With the following amendment:

Provided, That the expenses incurred under this resolution shall not exceed $250.

The Gardner resolution, which had been buried in the Rules Committee since June 21, 1911, was as follows:

Whereas, on April 25, 1911, in the House of Representatives, the Hon. Robert E. Difenderfer, of Pennsylvania, made certain charges to the effect that fraudulent practices exist in the War and Navy Departments relative to the contracts for Army and Navy shoes, and that certain contractors are favored by means of a blacklist excluding other competitors and by a requirement in the specifications prescribing the use of "Shrewsbury" leather; and

Whereas, it appears by the evidence taken before the Committee on Military Affairs on May 16, 1911, and by a letter from the Secretary of War dated June 5, 1911, and by a letter from the Secretary of the Navy dated May 20, 1911, that no such fraudulent practices exist or have existed; that only one competitor, to wit, John McBrearty, has ever been punished by exclusion, and then only for a period of four years, in consequence of frauds; and that Shrewsbury leather has not been mentioned in the specifications except in a single debate, to wit, February 27, 1908, and then only to indicate a certain standard by the words "Shrewsbury or equal": Therefore, be it

Resolved, That the Committee on Military Affairs be instructed to inquire into the charges made by the Hon. Robert E. Difenderfer and report to the House what action ought to be taken. For this purpose the committee shall have power to send for persons and papers and administer oaths, and shall have the right to report at any time.

I do not know which of these resolutions had the more merit. That does not matter. The lesson that the controversy teaches is more deeply fundamental. It illustrates the arbitrary power of the Rules Committee to circumvent and circumscribe the action of the whole House; it shows a typical "gag rule" in operation.

Neither Gardner nor the whole House could have compelled the Rules Committee to report his resolution. More than that, and this is the immediate point, when the matter was before the House, Gardner was gagged against offering his proposal as an amendment. The previous question likewise gagged every other member; it shut off all amendments. A few were permitted the special privilege of talking, but at the end of the allotted time all had to vote for or against the Difenderfer resolution.

A majority of six members of the Rules Committee had acted: that settled the question. Only an upheaval in the democratic caucus could have unsettled it.

There might be illustration after illustration of the same sort of procedure, but this one example will serve to explain the "gag" brand of special rules. The next kind to be considered is even more vicious:

(b) *New Legislation in Appropriation Bills.*—On April 19, 1911, Mr. Henry, Chairman of the Rules Committee, arose and made this stereotyped announcement:

*"Mr Speaker, I offer the following* privileged resolution, which I send to the *desk."*

The resolution was a long special rule, providing that certain new legislation might be incorporated in the Post Office Appropriations bill. And thereby hangs a tale.

*With but few exceptions, all important measures acted upon at this session had each to be advanced through special rules, or else made alien parts of appropriation bills. In other words, the regular rules and methods in the House were such that it was impossible to secure legislation in the routine way.*

This special rule was provided chiefly because there was no regular way to get a parcels post bill before the House. The political exigencies of the situation demanded that that question be given consideration in some form. Accordingly, through a special dispensation of the Rules Committee, it was attached to an appropriation bill.

Through no other manifestation is the new House system so clearly portrayed as in its attitude toward appropriation measures. It is difficult properly to emphasize and summarize this phase of the record in brief space, but I shall attempt to do so by presenting an outline of the situation which developed:

1. It should be understood that the present method of making appropriations is the most unscientific, archaic, wasteful, and corrupting that could possibly be contrived. It is unscientific and archaic because there is neither official order nor responsibility in the origin of these measures; wasteful because fully two-thirds of the time of congress has to be given to this sort of legislation; corrupting because politics, rather than necessity, dictates how and where appropriations shall be made—"the pork barrel" give and take idea being predominant.

2. The present House seemed to welcome with open arms the time-taking feature. Instead of any systematic attempt to expedite and facilitate appropriations legislation, the reactionary leaders, apparently, took full advantage of the regular and improvised opportunities to waste so much time in this direction that measures upon which they wished not to act could never be reached.

3. Appropriation bills were made mere political footballs. After the gates had been opened wide through special rules permitting new legislation, these measures appropriating money were encumbered with alien amendments provided for the purpose of playing politics—embarassing the President or the rival party. Examples of this were seen in the attempts to break down the civil service system and to abolish the Commerce Court in that way. It was great sport for the politicians and fitted perfectly into the general scheme of delay.

The Underwood machine greatly overplayed this game. There were so many political manipulations with appropriations measures that in the end the leaders lost control and the result was a sorry exhibition of trying to let go. The failure of Congress to adjourn seasonably is directly traceable to this situation. The session was prolonged at least two months because the bills appropriating money were not treated in a dignified manner upon their merits.

The third kind of special rule that we have to consider rests upon still a lower plane of political manipulation. These may be characterized as—

(c) *Buffers.*—If, by chance or lack of foresight, a measure upon which it was dangerous to go on record should advance toward a final vote in a routine way, the Rules Committee, backed by the caucus, could give precedence to other matters and thus prevent action on the first question. This procedure can best be explained through an illustration:

On July 18, 1912, Mr. Henry offered this privileged report from the Rules Committee:

> **Resolved, That the following bills shall be considered as privileged and having the same status for consideration as bills coming from committees having leave to report at any time, the consideration thereof, however, not to interfere with appropriation bills, tariff bills, or conference reports, to wit: H. R. 23673, a bill to abolish the involuntary servitude imposed upon seamen in the merchant marine of the United States while in foreign ports and the involuntary servitude imposed upon the seamen of the merchant marine of foreign countries while in ports of the United States, to prevent unskilled manning of American vessels, to encourage the training of boys in the American merchant marine, for the further protection of life at sea, and to amend the laws relative to seamen; H. R. 16692, a bill to provide American registers for seagoing vessels wherever built and to be engaged only in trade with foreign countries and with the Philippine Islands and the islands of Guam and Tutuila, and for the importation into the United States free of duty of all materials for the construction and repair of vessels built in the United States, and for other purposes; H. R. 15357, a bill to regulate radio communication; H. R. 24025, a bill to amend sections 4400 and 4488 of the Revised Statutes, relating to inspection of steam vessels, and section 1 of an act approved June 24, 1910, requiring apparatus and operators for radio communication on certain ocean-going steamers; H. R. 22871, to establish agricultural extension departments in connection with agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto; H. R. 22593, a bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, by providing for physical valuation of property of carriers subject thereto and securing information concerning their stocks and bonds and boards of directors.**

It was openly charged on the floor of the House that this resolution, making privileged a number of measures, was for the purpose of preventing a vote on the immigration bill. Mr. Roddenbery, speaking on this point, said:

> **"Mr. Speaker, let no Member of the House misunderstand the significance of adopting this rule. A vote for this rule consigns to oblivion and to defeat for this session the bill restricting immigration, notwithstanding the fact it has been reported by a Democratic committee, and now on the calendar for two months."**

Through the insistence of Mr. Lenroot, the only republican progressive member of the Rules Committee, the bill providing for the physical valuation of railroads was made part of this special order; but it was placed last on the list, where with the session drawing to a close there was little chance of its being reached, which proved the case.

From this incident we can illustrate other arbitrary powers of the Rules Committee:

*SPECIAL ORDERS.*—In opposing the adoption of the special rule which gave the right of way over all excepting tariff and appropriation bills to the six measures named, Mr. Roddenbury contended that the immigration bill should have been included in the list. The House *leaders did not* dare to act upon so dangerous a question as immigration *at a session just before* an election. Therefore Mr. Roddenbury

pleaded in vain that that measure also be advanced. Instead, the Rules Committee not only did not make a special order of the immigration bill, but placed so much privileged business ahead of it that adjournment came before the "buffers" could be removed.

By making the immigration measure or any other bill a special order, that is making it privileged through a special rule, the Rules Committee could have brought it to a vote at almost any time. *That body had the power to advance directly, or to retard indirectly, any measure* which it chose for passage or slaughter.

This brings us to still another phase of the work of this committee.

*STEERING COMMITTEE.*—By the exercise of the powers just suggested the Rules Committee could assume the purely political function of "steering" the party in control into whatever situations the exigencies seemed to demand. The House, through this agency, could be steered toward or away from a vote on almost any issue. The Rules Committee, under this régime, could become a mere instrument of partisanship.

* * * * *

The present Committee on Rules of the House of Representatives is composed of Robert L. Henry of Texas, chairman; Edward W. Pou of North Carolina, Thomas W. Hardwick of Georgia, Augustus O. Stanley of Kentucky, Finis J. Garrett of Tennessee, Martin D. Foster of Illinois, and Matthew R. Denver of Ohio, democrats; and John Dalzell of Pennsylvania, William W. Wilson of Illinois, Irvine L. Lenroot of Wisconsin, and Philip P. Campbell of Kansas, republicans.

The suggestions concerning this committee are not made with any intention of reflecting either credit or discredit upon its members, individually or as a body. If the situation could be made plain without reference to members, I would prefer that way. My only purpose is to show the part the Rules committee plays in the new House system. Whether the committee employs its special privileges for or against the people is immaterial.

Under Cannon the Rules committee was a sleeping giant. Under Underwood that body has become an active giant.

Cannon did not need the help of the Rules committee after the rules were once made; Aldrich was forced to dominate the Senate without such assistance; but, excepting only the caucus, the Rules committee is the most necessary and essential feature of the new floor leader system in the House.

* * * * *

It remains for us to consider but one other manifestation of the new House management—the gross abuse of Calendar Wednesday.

CALENDAR WEDNESDAY

Certain reforms in the law making methods were won by the progressives while Cannon was yet Speaker. Probably the most vital of these was Calendar Wednesday. This was the one day of each week which had to be given to the consideration of bills upon the calendar.

The regular order of business contemplated that the House Calendar should be reached at least four days a week. Paragraph 4 of Rule XXIV, on this point, reads:

After the unfinished business has been disposed of the Speaker shall call each standing committee in regular order, and then select committees, and each com-

mittee when named may call up for consideration any bill reported by it on a previous day and on the House Calendar, and if the Speaker shall not complete the call of the committees before the House passes to other business, he shall resume the next call where he left off, giving preference to the last bill under consideration: Provided, That whenever any committee shall have occupied the morning hour on two days, it shall not be in order to call up any other bill until the other committees have been called up in their turn.

But under Cannon, and still more under Underwood, this rule was largely nullified by the accidental or intentional manipulation of privileged matters in such a way that the "call of committees" was rarely reached. It "happened" that appropriation measures, sham battles on tariff questions, or other privileged questions were almost always in the way of regular bills.

That was why the progressives had demanded and finally secured Calendar Wednesday—one day so guarded, it was thought, that nothing could interfere with the consideration and final passage of general legislation. The Calendar Wednesday rule is explicit and unequivocal:

Rule XXIV, Paragraph 7.—On Wednesday of each week no business shall be in order except as provided by paragraph 4 of this rule unless the House by a two-thirds vote on motion to dispense therewith shall otherwise determine. On such a motion there may be debate not to exceed five minutes for and against. On a call of committees under this rule bills may be called up from either the House or the Union Calendar, excepting bills which are privileged under the rules; but bills called up from the Union Calendar shall be considered in Committee of the Whole House on the state of the Union. This rule shall not apply during the last two weeks of the session. It shall not be in order for the Speaker to entertain a motion for a recess on any Wednesday except during the last two weeks of the session.

Paragraph 4 of Rule XXIV displays its own purpose. It was intended that measures on the House calendar should have due and timely consideration. But that rule was practically annulled by the preponderance of privileged matters, which came first and were never out of the way. To illustrate, the House might be facing final action on a bill regulating immigration—politically a dangerous queston. As a means of averting a vote in such an issue a number of diversions might occur:

(1) The Rules committee, privileged to report at any time, might propose some special rule or bring other business before the House in the "buffer" form previously explained;

(2) The Ways and Means committee, privileged to report at any time, might decide to occupy the front of the stage with a tariff bill. Perhaps, although the caucus had already acted on amendments and decreed the final form in which the bill should be voted upon, almost unlimited debate would be allowed and members permitted to offer amendment after amendment. All this depended largely upon the extent of time to be killed; or

(3) The Appropriations committee, privileged to report at any time, might call up an appropriation bill and thus prevent the consideration of some measure on the House Calendar. Appropriation matters were easily the chief offenders in this respect. The ramshackle, time-taking methods of making appropriations would undoubtedly be reformed and made scientific in a month, if they did not fit so well into the great game of obstruction and delay.

*Paragraph* 7 of Rule XXIV, the reform which the progressives gained *before Cannon was out* of the Speakership, was in itself a confes-

sion of the condition just described. And to remedy that condition this new rule provided that on one day each week no business, regardless of its privileged character, should be allowed to interfere with the regular routine.

Yet those in control of this Congress discovered how to obstruct business, even on sacred Calendar Wednesday.

Bearing in mind that Calendar Wednesday, even if used honestly and industriously, would have been entirely inadequate to relieve the congestion of business, consider this record of the present House in the special and regular sessions:

April 9, 1911, Calendar Wednesday was dispensed with by a two-thirds vote.

April 26, dispensed with.
May 3, dispensed with.
May 10, House was adjourned over Wednesday.
May 17, given to other business.
May 24, House adjourned over Wednesday.
May 31, House adjourned over Wednesday.
June 7, dispensed with.
June 14, dispensed with.
June 21, dispensed with.
June 28, House adjourned over Wednesday.
July 5, other business.
July 12, dispensed with.
July 19, dispensed with.
July 26, House adjourned for a deceased member.

August 2, Underwood made a personal speech answering criticisms of the Commoner, and Mann moved to dispense with Calendar Wednesday—"while the entertainment is going on."

August 9, Calendar Wednesday was used, mostly on bridge bills.

August 16, same as above.

So much for the special session. On only two out of eighteen Wednesdays was this calendar given consideration. There was not much business pressing in the early part of this session, but certainly no excuse can be found for the neglect of Calendar Wednesday during the entire session.

It was in the regular session, however, that the most flagrant and continued abuse of Calendar Wednesday took place. Of the three Wednesdays in December, the 6th, 13th and 20th, one was dispensed with and two given to ordinary matters.

There were five Wednesdays in January. All but a part of one were given to bridge bills. Three of these were taken up with consideration of a single bill appropriating $15,000 as the government's share in the construction of a bridge across the Weymouth Back river. As Mr. Berger pointed out, Congress, costing as it does about $30,000 a day, spent $90,000 of time on a $15,000 matter, while many questions of national importance had to wait.

One Calendar Wednesday in February was dispensed with, the 21st. Others from February 7 to March 6 were given to much debate and little real business.

Then the Public Lands committee "had the call" until April 3.

April presented no great difficulties to the obstructionists. The Com-

mittees on Indian Affairs and Territories consumed all the Calendar Wednesdays.

This continued through the first two Wednesdays of May. Then the real abuse of this calendar began. On the 15th a number of conference reports and miscellaneous matters were considered. On the 29th desultory debate was undertaken in earnest. As one example, Fitzgerald interposed a speech, quoting Lincoln and attacking Roosevelt.

All through June there was open opposition to the use of every Calendar Wednesday. On the 5th occurred an unsuccessful attempt to dispense with that order. Again on the 12th a motion was made to dispense with Calendar Wednesday and carried. On the 19th Fitzgerald moved to dispense, which was lost. The House adjourned over the 26th, which was the last Wednesday of the month.

July capped the climax. There was no attempt to dispense with any Calendar Wednesday of this month. The tactics had changed. During the last four Wednesdays—the 10th, 17th, 24th, and 31st—the call rested with the Committee on Labor, and the flood gates of oratory were thrown wide open. There was talk, talk, talk—upon the widest possible range of subjects. If anyone wanted to make a speech, it seemingly was saved for some Calendar Wednesday. Politics predominated. Taft was eulogized and anthematized; Roosevelt was roasted and glorified; Wilson was treated in turn by friend and foe; the history of republicanism and the degeneracy of democracy were rehearsed again, and vice versa. On one occasion Barthold said, "I rise to tell the story of the Chicago contests," which he did at great length. Then Howard explained, "I rise in my seat to defend the Georgia nigger," and there followed an hour of wasted fun. They called it "general debate." Through all this tidal wave of talk the Calendar Wednesday call still "rested" with the Committee on Labor.

That month was the crisis for the obstructionists. In August they experienced little difficulty. The 7th saw some of the best "ramble" debators of the House occupying the center of the stage. Then came a real invasion into the supposedly impregnable Calendar Wednesday. On the 14th and again on the 21st the House took up tariff and appropriation bills, holding them privileged above the regular order of that day.

The inadequacy of Calendar Wednesday was multiplied five-fold by those in control of this Congress.

* * * * *

Compared with Cannonism, the new system is more complex, more irresponsible, far less business-like, and equally barren of beneficent results. In only one respect is it in any way superior to the Cannon régime. That consists in a certain freedom for members, which is more seeming than real. Jonathan Doe can get recognition now. He can make a speech, not a motion, without much restraint. So much has the new order yielded. Members do feel free—within certain carefully prescribed bounds. Their freedom is not permitted to have an influence on legislation.

The progressives in this Congress are like the proverbial calf; although at liberty to enjoy a certain extent of rope, they find themselves securely tethered to the post of caucus and special rules. They *cannot* get beyond a trivial zone of activity, and the more active they *become within this zone* the sooner are they tangled and helpless.

# CHAPTER II

## *MEDIUMS OF MEASUREMENT*

Before passing to the Senate, for a study of the characteristics of that body, we should pause here, with the disclosure of House conditions freshly in mind, to form the acquaintance of some of the members themselves. That can best be accomplished through certain roll calls. One vote in the open and two in the democratic caucus will suffice for the present.

* * * * *

A VACANCY ON THE RULES COMMITTEE

When Mr. Madison, a progressive, died after the organization of the Sixty-second Congress his place on the Rules committee was given to Philip P. Campbell, a reactionary. The importance of a position on the Rules committee has been made plain. At the time of this controversy, harmonious reactionary control of the committee was especially important. That body had jurisdiction of the money trust investigation, the most acutely crucial question before congress. In addition, the Rules committee was just striking its stride as the dispenser of special rules and "steering" orders.

In pursuance of his privilege as the minority leader, and with the approval of the democratic members of the Ways and Means committee, Mann selected Campbell as the successor of Madison on the Rules committee. When this nomination was presented to the House, January 11, 1912, Norris, acting for the progressives, moved to substitute the name of Murdock for that of Campbell. After one of the spirited fights of the session, the reactionaries won and the place was given to Campbell by a vote of 167 to 107.

So far as the republicans are concerned, this roll call undoubtedly presents the most dependable separation of progressives and reactionaries of any single vote during the session. The issue was clear cut and easily understood. Those voting for Murdock were against caucus rule, and for progressive methods and measures. The republicans voted as follows:

*For Murdock, Progressive*—Akin, Anderson, Cary, Cooper, Davidson, Davis, Esch, French, Green, Haugen, Helgesen, Hubbard, Jackson, Lafferty, La Follette, Lenroot, Lindbergh, Morse, Nelson, Norris, Prouty, Rees, Stephens, Warburton, Woods, and Young—26.

*For Campbell, Reactionary*—Ainey, Ames, Anthony, Austin, Barchfeld, Barthold, Bingham, Bowman, Bradley, Browning, Burke of Pennsylvania, Burke of South Dakota, Butler, Calder, Cannon, Catlin, Copley, Crago, Crumpacker, Dalzell, Danforth, Dodds, Draper, Driscoll, Dyer, Farr, Fordney, Foss, Gardner of Massachusetts, Gardner of New Jersey, Gillett, Good, Greene, Griest, Guernsey, Hamilton, Hanna, Harris, Hartman, Heald, Henry, Higgins, Hill, Howell, Howland, Humphrey, Kahn, Kendall, Kennedy, Kinkaid, Knowland, Lafean, Langham, Lawrence, Loud, McCall, McCreary, McGuire, McKenzie, McKinley, McKinney, McLaughlin, Madden, Malby, Mann, Martin, Matthews, Mondell, Moon of Pennsylvania, Moore, Morgan, Mott, Needham, Parran, Patton, Payne, Pickett, Plumley,

Powers, Pray, Prince, Roberts of Massachusetts, Rodenberg, Sells, Simmons, Slemp, Sloan, J. M. C. Smith, S. W. Smith, Speer, Sterling, Stevens, Sulloway, Switzer, Taylor, Thistlewood, Tilson, Towner, Utter, Vreeland, Wedemeyer, Weeks, Wilder, Willis, Wilson, Wood, Young of Michigan—107.

*Republicans Not Voting*—Andrus, Bates, Campbell, Currier, Curry, De Forest, Dwight, Fairchild, Focht, Fuller, Hawley, Hayes, Hinds, Hughes, Kent, Kopp, Langley, Longworth, McMorran, Miller, Murdock, Nye, Olmsted, Porter, Rayburn, Roberts of Nevada, Smith of California, Steenerson, Volstead—29.

It is only fair to record that several of the republicans not voting were in the House chamber when the roll call started and deliberately dodged the responsibility of a vote.

There is one phase of the democratic attitude on this test which should be noted. The regulars were not expecting opposition. It was thought that the Underwood-Mann program would go through without a protest. There had been no caucus, therefore, to bind the democrats to unanimity. For once the progressives had caught the leaders napping; it was about the only vital matter to come before the House that had not previously been settled in the caucus. When the republican progressives started the fight for Murdock it was like lightning from a cloudless sky; the democrats were unprepared; they were not caucus bound, and the leaders had no opportunity to adjust the shackles. Always, in the new order of things, the caucus comes first; here there had been no caucus because none had been deemed necessary. Although Underwood pleaded with the democrats to stand by the system, they were free of caucus chains, and most joyously did many exercise their freedom. The result suggests what might happen on dozens of roll calls were the independent democrats not slaves of the caucus.

Gray of Indiana, answering Underwood, spoke in part as follows:

"Mr. Speaker, the most despicable treachery known to human warfare is deserting an ally and surrendering him over to his enemies. The insurgent republicans have been our allies. I condemn this bi-partisan movement, and I characterize this proposition to surrender our allies, the insurgent republicans, over to our stand-pat enemies for political execution as not only an act of gross ingratitude, but as transcending good faith and honor observed even in the merciless strife of war.

Following an appeal by Mann to the regular republicans and another effort on the part of Underwood to hold his followers together, the vote was taken. The democrats were thus divided:

*For Murdock*—Allen, Ansberry, Ashbrook, Bathrick, Beall of Texas, Bell of Georgia, Booher, Borland, Brown, Buchanan, Burke of Wisconsin, Burnett, Candler, Carter, Claypool, Collier, Cox of Indiana, Cox of Ohio; Cullop, Daugherty, Dickinson, Difenderfer, Donohoe, Doremus, Edwards, Evans, Faison, Ferris, Fowler, George, Glass, Godwin, Goodwin, Gray, Gregg of Pennsylvania, Hamlin, Helm, Hensley, Houston, Howard, Hughes of Georgia, Konop, Lee of Pennsylvania, Lewis, Linthicum, Lobeck, McHenry, Maguire, Martin of Colorado, Moss, Murray, Oldfield, O'Shaunessy, Pepper, Post, Raker, Reilly, Roddenbery, Rouse, Rubey, Rucker of Colorado, Rucker of Missouri, Sabath, Sherwood, Sisson, Smith of New York, Smith of Texas, Stedman, Stone, Sweet, Thayer, Thomas, Tribble, Turnbull, Underhill, Webb, Whitacre, White, Wilson of Pennsylvania, Witherspoon, Young of Texas—81.

*For Campbell*—Adair, Adamson, Ayres, Bartlett, Blackmon, Brantley, Bulkley, Burleson, Clark of Florida, Clayton, Connell, Conry, Cravens, Curley, Dent, Denver, Dies, Dixon of Indiana, Doughton, Fergusson, Fitzgerald, Flood, Floyd, Fornes, Gallagher, Hamill, Hammond, Harrison of New York, Hay, Henry, Holland, Hughes of New Jersey, Konig, Korbly, Lamb, Legare, Levy, Lloyd, McCoy, *McDermott, McKellar*, Macon, Mays, Moore of Texas, Morrison, Padgett, Palmer,

Peters, Redfield, Richardson, Rothermel, Scully, Slayden, Stephens of Mississippi, Townsend, Tuttle, Underwood, Watkins, Wilson of New York—59.

*Democrats Not Voting*—Aiken, Alexander, Anderson, Barnhart, Boehne, Broussard, Burgess, Byrnes, Byrns, Callaway, Cantrill, Carlin, Cline, Covington, Davenport, Davis of West Virginia, Dickson of Mississippi, D. A. Driscoll, Dupre, Ellerbee, Estopinal, Fields, Finley, Foster, Francis, Garner, Garrett, Goeke, Goldfogle, Gould, Graham, Gregg of Texas, Gudger, Hamilton of West Virginia, Hardwick, Hardy, Harrison of Mississippi, Heflin, Hobson, Hull, Humphreys, Jacoway, James, Johnson of Kentucky, Johnson of South Carolina, Jones, Kindred, Kinkead, Kitchin, Lee of Georgia, Lever, Lindsay, Littlepage, Littleton, McGillicuddy, Maher, Moon, Page, Patten of New York, Pou, Pujo, Rainey, Randell, Ransdell, Rauch, Riordan, Robinson, Russell, Saunders, Shackleford, Sharp, Sheppard, Sherley, Sims, Small, Sparkman, Stanley, Stack, Stephens of Nebraska, Stephens of Texas, Sulzer, Taggart, Talbott, Talcott, Taylor of Alabama, Taylor of Colorado, Wickliffe—67.

The vote on the question of a successor to Judge Madison on the Rules committee is fairly conclusive as indicating the attitude and intentions of republicans. It reveals much less as to the democrats, however; they were not caucus bound and a number played with the unusual privilege of freedom to act as they chose. A few others viewed the controversy lightly and voted for Murdock because it seemed an opportunity to get a laugh on their leaders for being caught without the caucus club in hand. We must look into the caucus itself to discover the distinctions among democrats.

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ON THE OPEN CAUCUS

It is a sad commentary on House conditions that we are compelled to search into caucus records to determine whether members are inclined to be reactionary or progressive. But there is no alternative. The democrats settled their differences in the caucus. It is there that we must go for such light as a dark institution can give. Two democratic caucus battles will afford as accurate a basis of judgment as it is possible to obtain from the records.

The first took place January 6, 1912, on the question of the open caucus. In order to silence criticism from without and to stop agitation from within, the democratic party leaders determined to take a compromise position on this issue. A committee, of which A. Mitchell Palmer, a member of the Ways and Means committee from Pennsylvania, was chairman, was appointed to work out a new rule which would satisfy all factions. Mr. Palmer, in presenting this committee's report to the caucus, explained that consideration had been given to three ways of meeting the problem:

(1) To make the caucus open and public, without reservations;

(2) To continue the caucus as an executive and secret institution; and

(3) To adopt the compromise, recommended by the committee, which retained the essentially secret characteristics of the caucus, but yielded a little to the demands of the public and the progressives within the caucus, by making certain roll calls public under certain conditions.

The Palmer compromise resolution was as follows:

RESOLVED, That the following additional rules of the democratic caucus be and they are hereby adopted:

10. No persons except the democratic members of the House of Representatives, a caucus journal clerk, and all necessary employees, shall be admitted to the meetings of the caucus;

11. The caucus shall keep a journal of its proceedings which shall be published after each meeting, and the yeas and nays on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Mr. Harrison of Mississippi then offered the following substitute, which met the issue of an open caucus as squarely as it could possibly be faced:

RESOLVED, That the following additional rules of the democratic caucus be and they are hereby adopted:

10. Hereafter all Democratic caucuses shall be open to the public and newspaper representatives.

11. The caucus shall keep a journal of its proceedings, which shall be published after each meeting, and the yea and nay votes on any question when taken in caucus shall be entered on the journal.

The vote upon this Harrison substitute was as follows:

*For the Open Caucus*—Ansberry, Buchanan, Candler, Collier, Cox of Ohio, Cullop, Daugherty, Dies, Dixon of Indiana, Edwards, Floyd, Foster, Gallagher, Gray, Hardwick, Harrison of Mississippi, Harrison of New York, Howard, Jacoway, Korbly, Lewis, Linthicum, Lobeck, McDermott, Macon, Maguire, Mays, Murray, Oldfield, Raker, Rauch, Roddenbery, Rubey, Rucker of Colorado, Rucker of Missouri, Russell, Sharp, Sims, Sisson, Smith of New York, Stephens of Nebraska, Stephens of Mississippi, Stone, Thayer, Tribble, White, Wickliffe, Wilson of Pennsylvania, Witherspoon—49.

*Against the Open Caucus*—Adamson, Alexander, Allen, Ayres, Beall, Blackmon, Booher, Bulkley, Burleson, Burnett, Byrnes, Bryns, Carter, Clayton, Connell, Conry, Covington, Davis of West Virginia, Dent, Dickinson, Difenderfer, Doremus, Estopinal, Evans, Faison, Fitzgerald, Garner, Garrett, George, Godwin, Graham, Gudger, Hamilton of West Virginia, Hammond, Hay, Heflin, Henry of Texas, Hensley, Holland, Houston, Hughes of Georgia, Hughes of New Jersey, Hull, Humphreys of Mississippi, Jones, Konop, Lamb, Lee of Georgia, Lever, Littlepage, Littleton, McCoy, McGillicuddy, McKellar, Maher, Martin of Colorado, O'Shaunessy, Padgett, Palmer, Patten of New York, Pepper, Post, Rainey, Reilly, Richardson, Rothermel, Rouse, Shackleford, Sherley, Sherwood, Slayden, Small, Smith of Texas, Sparkman, Stack, Stanley, Stedman, Stephens of Texas, Sweet, Talcott, Taylor of Alabama, Townsend, Turnbull, Tuttle, Underhill, Underwood, Watkins, Whitacre, Young of Texas—89.

*Not Voting*—Adair, Aiken, Anderson of Ohio, Ashbrook, Barnhart, Bartlett, Bathrick, Bell, Boehne, Borland, Brantley, Broussard, Brown, Burgess, Burge of Wisconsin, Callaway, Cantrill, Carlin, Clark of Florida, Claypool, Cline, Cox of Indiana, Cravens, Curley, Davenport, Denver, Dickson, Donohoe, Doughton, Driscoll, Dupre, Ellerbee, Ferguson, Ferris, Fields, Finley, Flood, Fornes, Fowler, Francis, Glass, Goeke, Goldfogle, Goodwin, Gould, Gregg of Pennsylvania, Gregg of Texas, Hamill, Hamlin, Hardy, Hayden, Helm, Hobson, James, Johnson of Kentucky, Johnson of South Carolina, Kindred, Kinkead, Kitchin, Konig, Lee of Pennsylvania, Legare, Levy, Lindsay, Lloyd, McHenry, Moon of Tennessee, Moore of Texas, Morrison, Moss, Neeley, Page, Peters, Pou, Pujo, Randell, Ransdell, Redfield, Riordan, Robinson, Sabath, Saunders, Scully, Sheppard, Sulzer, Taggart, Talbott, Taylor of Colorado, Thomas, Webb, Wilson of New York—91.

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THE MONEY TRUST RESOLUTION

The second caucus battle involved a double compromise, which amounted to practically a complete capitulation to Wall Street on the most vital question before Congress. It will be remembered that Mr. Lindbergh introduced a resolution intended to bring about a thorough investigation into all the ramifications and influences of *the money trust.* To side-track this resolution, Mr. Henry introduced *another on the same* subject, calling also for a special investigative

committee, but throwing the whole issue into the democratic caucus. That was the first compromise.

Next, when the question was before the democratic caucus for final settlement on February 7, 1912, Mr. Underwood moved, as a substitute for the Henry compromise, that the investigation be conducted by the Committee on Banks and Banking, which involved still a greater surrender because this committee contained several bankers and bankers' attorneys and must have been partial to those interests.

The caucus vote by which the Underwood substitute was adopted follows:

*To Investigate the Money Trust Through the Committee on Banking*—Adamson, Ansberry, Ashbrook, Ayres, Barnhart, Bartlett, Beall, Bell, Blackmon, Borland, Brantley, Broussard, Brown, Bulkley, Burgess, Burnett, Byrnes, Byrns, Callaway, Candler, Clark of Florida, Clayton, Cline, Collier, Conry, Covington, Curly, Davis of West Virginia, Dent, Denver, Dickson, Dies, Doremus, Doughton, Dupre, Edwards, Ellerbe, Evans, Faison, Fitzgerald, Flood, Fornes, Garner, Garrett, Glass, Godwin, Goeke, Goldfogle, Gould, Gregg of Pennsylvania, Gregg of Texas, Hamilton of West Virginia, Hardwick, Harrison of Mississippi, Harrison of New York, Hay, Heflin, Hensley, Holland, Howard, Hughes of New Jersey, Hull, Humphreys, Jones, Konig, Korbly, Lamb, Lee of Georgia, Legare, Lever, Levy, Linthicum, Littlepage, Lloyd, McCoy, Maher, Moore of Texas, Murray, Page, Palmer, Peters, Post, Pou, Pujo, Ransdell, Redfield, Riordan, Saunders, Scully, Shackleford, Sharp, Sherley, Sherwood, Sisson, Slayden, Small, Smith of New York, Stedman, Stephens of Nebraska, Stephens of Mississippi, Sulzer, Sweet, Talbott, Talcott, Taylor of Alabama, Townsend, Turnbull, Tuttle, Underhill, Underwood, Webb, Wickliffe, Wilson of New York, Young of Texas, Speaker Clark—115.

*To have an Impartial Committee Investigate the Money Trust*—Adair, Aiken, Alexander, Anderson of Ohio, Bathrick, Boehne Buchanan, Burke of Wisconsin, Burleson, Claypool, Cox of Ohio, Cullop, Daugherty, Davenport, Dickinson, Difenderfer, Dixon, Donohoe, Fergusson, Ferris, Finley, Floyd, Foster, Fowler, Francis, Goodwin, Gray, Hamlin, Hardy, Helm, Henry of Texas, Jacoway, James, Konop, Lee of Pennsylvania, Lobeck, McHenry, Macon, Maguire, Martin of Colorado, Moss, Oldfield, Pepper, Rainey, Raker, Randell, Rauch, Roddenbery, Rubey, Rucker of Colorado, Russell, Sheppard, Sims, Smith of Texas, Stanley, Stone, Taggart, Taylor of Colorado, Thayer, Thomas, Tribble, Watkins, White, Wilson of Pennsylvania, Witherspoon—66.

*Not Voting*—Allen, Booher, Cantrill, Carlin, Carter, Connell, Cox of Indiana, Cravens, D. A. Driscoll, Estopinal, Fields, Gallagher, George, Graham, Gudger, Hamill, Hammond, Hayden, Hobson, Houston, Hughes of Georgia, Johnson of Kentucky, Johnson of South Carolina, Kindred, Kinkead, Kitchin, Lewis, Lindsay, Littleton, McDermott, McGillicuddy, McKellar, Mays, Moon, Morrison, Neeley, O'Shaunessy, Padgett, Patten, Reilly, Richardson, Robinson, Rothermel, Rouse, Rucker of Missouri, Sabath, Sparkman, Stack, Stephens of Texas, Whitacre—47.

* * * * *

Two years ago it would have been comparatively an easy matter to classify members of the House. Then progressives and reactionaries stood out quite conspicuously as one or the other. But in the interim partyism has been re-established to becloud and make impossible just distinctions along that line. I am compelled, by this retrogression, to discuss Representatives on an earlier basis. Today, in the House, members should be judged as—

*Independents—those who acted upon a plane above partisan politics;*

*Regulars—who were partisans first and progressives afterward, when politics permitted the latter course.*

*Independents*—Unless the preceding chapter failed of its mission, it demonstrated the overshadowing evils of the caucus system. The

caucus, of necessity, becomes the key to our measurement of members. It is their determined and persistent opposition to the caucus that gives to a small group of independent progressives distinction high above all the rest. They are the members who have consistently condemned the caucus as the determining element in legislation; they have stood against the merging of the man in his party. Through their influence the republican caucus has been discredited and demolished. The members in this class include:

*Sydney Anderson, 1st District, Minnesota*—Entered Congress handicapped as "the man who beat Tawney," but soon proved his own right to a place among the foremost progressives; took a conspicuous part in all tariff legislation, and was especially prominent in the fight for parcels post. Mr. Anderson more than balanced his youth and inexperience with ability and industry; no member has grown more in the right direction during the last two sessons.

*William J. Cary, 4th Wisconsin*—Although his votes entitle him to a place among the progressives included in this classification, Mr. Cary hardly possesses the initiative and fighting ability that characterizes this group.

*Henry A. Cooper, 1st Wisconsin*—One of the pioneer opponents of Cannonism; has been fearless, able, and consistent in his attacks upon the secret caucus within both parties; always present at sessions of the House and is one of the most influential of this group. Mr. Cooper was the progressive republican candidate for Speaker at the time of organizing the present House.

*George Curry, New Mexico*—Was a member but a part of the last session, entering the House from New Mexico after that state was admitted to the union; has taken his stand with the foremost progressives, and his associations and work give promise of fine development in this direction. Mr. Curry is entirely fearless and conscientious in all that he does.

*Charles R. Davis, 3rd Minnesota*—Was one of the original insurgents; with three or four others, bore the brunt of the fight against Cannonism in the beginning. Mr. Davis has earned great influence in the House, and can always be depended upon to be in the forefront of every attempt, both to improve the methods of lawmaking and to bring about legislation more equitable for the people.

*Burton L. French, Idaho*—A staunch progressive with much more than ordinary ability. Mr. French is one of the younger members who is doing his share to break down the old order in law making.

*Gilbert N. Haugen, 4th Iowa*—An anti-Cannonite of long standing; thoroughly understands the system of the special interests and is always active in opposition to reactionary members and measures. Mr. Haugen rendered especially valuable service as ranking republican member of the Committee on Agriculture.

*H. T. Helgesen, North Dakota*—One of the strongest and most influential new members; first entered the 62nd Congress; was especially active and forceful in his fight against Canadian Reciprocity; has a record consistently progressive on all issues. Mr. Helgesen took a great interest in parcels post legislation and was largely responsible for the prominence given to agricultural products in that measure.

*Fred S. Jackson, 4th Kansas*—Always independent and progressive; one of the coming leaders of the House. Mr. Jackson is an able debater and fights fearlessly on every occasion.

*William Kent, 2nd California*—Undoubtedly, in several directions, the most useful man in Congress; he began his congressional career as a member of the 62d Congress and at once became conspicuous as "the man who always voted his convictions," by which it is meant that he never permitted political expediency to influence his attitude on any question; he is the best posted and most active conservationist in Congress. Mr. Kent stands for that new day in the House when members will rise above the fear of elections and become absolutely independent both of public clamor and the power of special interests.

*A. W. Lafferty, 2nd Oregon*—Has a record consistently progressive in all respects save on conservation questions.

*William LaFollette, 3rd Washington*—A true blue progressive who knows no such thing as compromise on any issue; is a cousin of Senator Robert M. LaFollette and represents the same high order of public service.

*Irvine L. Lenroot, 11th Wisconsin*—A forceful, energetic and able leader among the progressives; was conspicuous in the fight against Cannon and the Cannon methods of legislation; a strong advocate of tariff reform. As the only

insurgent member of the Rules committee, Mr. Lenroot took a prominent part, both within and without that reactionary body, in the fights against gag rules and the usurpation of the deliberative functions of the House by the democratic caucus.

*Charles A. Lindbergh, 6th Minnesota*—Has caused the special interests and professional politicians more worry than any man in this congress; was one of the few to oppose the Aldrich currency scheme at the time of its inception in 1907, and is now the recognized House leader against this attempt of Wall street to legalize watered stock and get still better control of the currency and credits of the country; his fight in the present session for an investigation of the money trust undoubtedly prevented consideration of the Aldrich currency bill in 1912; his resolution calling upon members to publish their business connections in order that the public might know the questions in which they had a direct personal interest stirred Congress from A to Z. Mr. Lindbergh is one of the hardest workers in the House.

*E. A. Morse, 10th Wisconsin*—A clean, vigorous, fearless progressive, always prominent in every movement to make the House deliberative and productive of good results in legislation; one of his finest efforts was a joint attack on two evils—the working in secret of standing committees and the caucus system. Mr. Morse is one of the most able advocates of conservation and is doing some of his best work in behalf of projects to restore and conserve natural resources for the people.

*Victor Murdock, 8th Kansas*—An insurgent of the most aggressive type; reforming the rules, his special work. Mr. Murdock fights first through a sense of duty, and then because it is pleasurable. He is a valuable part of the progressive group.

*John M. Nelson, 2nd Wisconsin*—No progressive has been more conscientious or consistent; as secretary of the organization of progressives, he has become one of the most trusted and influential among this element; he is always willing to go any distance. Mr. Nelson has to his credit efforts to extend the progressive experiences of Wisconsin into the national field.

*George W. Norris, 5th Nebraska*—One of the most forceful fighters in the House and always alert to see and seize every parliamentary opportunity to advance the influence of the progressives; deserves the chief credit for the successful phases of the fight on Cannonism. Strong in debate, knowing neither fear nor favor, Mr. Norris has been a most valuable member.

*William D. Stephens, 7th California*—A new member; one of the dependable progressives.

*Stanton Warburton, 2nd Washington*—One of the thorough students of the House; is especially strong on tariff subjects. Mr. Warburton is an able, aggressive member, with absolutely no fear of any person or influence. No progressive would go farther.

*Frank P. Woods, 10th Iowa*—"The organizer of the progressives." A new day dawned for the insurgents when Mr. Woods entered the 61st Congress. Through his genius for organization, he secured concerted action and this group was converted into a working progressive force; in this field of influence he has no superior. A true progressive, shrewd and resourceful in council, Mr. Woods is one of the powerful figures in Congress.

The members named above are all progressive republicans. Three others—one an independent and two progressive democrats—are entitled to consideration in this class:

*Theron Akin, 25th New York*—"The man without a party;" entered Congress as an independent progressive and maintained that position throughout; was "an outcast" and continually subjected to ridicule and ostracism at the hands of both organizations; the only anti-caucus insurgent from any eastern state. Mr. Akin successfully weathered every attempt to crush him and made a fine record.

*Finley H. Gray, 6th Indiana*—The only consistent anti-caucus member among the democrats; voted repeatedly against his party on gag rules; led the fight on the democratic side to replace Madison with a progressive on the Rules committee. Mr. Gray is a fearless fighter and always patriotic before he is partisan.

*S. A. Roddenbery, 2nd Georgia*—While he did not go as far as Mr. Gray in caucus repudiation, Mr. Roddenbery enjoys about equal rank as a trouble maker for his party leaders; fought in season and out to bring bills out of burial, especially the immigration measure; vigorously opposed pension graft. No Southern democrat approached Mr. Roddenbery in independence and aggressiveness.

Subsequently, in a separate chapter, there will be set forth the work of Victor Berger, the lone socialist member, and the socialist program as it has been presented to Congress through him. For the present, therefore, we will eliminate consideration of him. Entirely free of caucus chains, guided by the tenets of his party, which begin with the completest political democracy, there can be no doubt of his progressiveness, as the common acceptance of that term compels me to use it.

Next below the independent, non-partisan members should be noted the rather numerous class that attempted the impossible task of remaining "regular" in all things and being progressive at the same time. Regularity in this connection meant loyalty to party organizations, which in both cases were reactionary.

In view of the basic, binding principles of the democratic caucus, and the further fact that it usurped the deliberative functions of the House of Representatives, performing surreptitiously what that branch of Congress was intended to do in the open, it is somewhat difficult to give proper credit to the progressives who became and remained subservient to that corruptive agency. But a considerable minority of democrats were progressive and, in some cases, their work in other directions raised them above the caucus level.

It is fairly safe to assume that the democrats who voted against Underwood and the bosses of their party in both of the caucus roll calls already recorded—on the open caucus and the money trust resolution—are progressive.

Other democrats than these are progressive in all respects save loyalty to the caucus, but the system is such that, through no assembling of votes, it is possible accurately to classify them.

*Regulars,* are those who represent the old political ideas and stand for the tactics of their respective party organizations. They are the members who endorse the caucus and employ such subversive means of controlling legislation. The vote on the question of a successor to Mr. Madison on the Rules committee will enable you to identify most of the republican regulars.

To discover the democrats who were extreme "regulars," I commend you to a study of the caucus roll calls already considered.

Obviously those who voted with Underwood on both of these tests include only a handful of the democratic "regulars." Most of those who dodged the vote on the money trust resolution and opposed the open caucus, and most of those who dodged the open caucus and supported the Underwood faction on the money trust question, should be added.

It must be remembered in this connection, that the House has "gone back;" that in judging members now one is compelled to give the greater weight to purely political characteristics. Two years ago the House was advancing rapidly toward a condition where a division could be made along economic lines; members were rising above partisanship and emerging into progressives and reactionaries. Today such a classification is impossible, because the old political order has *been re-established.* In the present House party regularity is the su*preme test.*

# CHAPTER III

## *THE NEW SENATE SYSTEM*

Aldrichism is passing from the Senate. In its place a very different system is taking shape. The new machine is based upon an almost open alliance between Southern democrats and Eastern republicans—both reactionary and both loyal to the property power in politics.

The chief weakness, from the special privilege point of view, of this condition which is supplanting Aldrichism, lies in the fact that it is no longer possible to organize the Senate as in the old days of the oligarchy. Then partisanship was supreme, not because the special interests were partisan, but because they found it easier and more convenient to work through one party than two. Today these interests have been forced, by the growing influence of the progressive group, to take a bi-partisan position in the Senate. This has worked fairly well in preventing legislation, but yielded an unprecedented and humiliating result when the attempt was made, in the present Congress, to select a president pro tempore.

We find an official account of this comedy, beginning on Page 1182 of the *Congressional Record* for the First Session of the Sixty-second Congress, under date of May 11th, 1911. Mr. Cullom arose and said:

"Mr. President, I move that the Senate now proceed to the choice of a President pro tempore, to preside over the Senate in the absence of the Vice President."

After the Senate had assented to this proposal, Mr. Cullom, trained in these details since March 4th, 1883, arose again and announced:

"Mr. President, I nominate the senior Senator from New Hampshire (Mr. Gallinger) for President pro tempore of the Senate of the United States."

Other prospective presidents pro tempore were nominated, and the roll was called. Mr. Bacon, democratic caucus candidate, received 35; Mr. Gallinger, reactionary republican, 32; Mr. Clapp, progressive republican, 4; scattering, 2. Eighteen Senators were absent or did not vote. "There is no choice," came gravely from the Chair.

"I move that the Senate take another ballot," said Mr. Cullom; which was done, with the same result. Five other ballots were taken that day.

They tried it again, on May 17th, to the extent of two attempts. The futility of the effort became apparent June 6th. Three times on that date did they try, but to no purpose. Mr. Gallinger got 27; Mr. Bacon, 26; Mr. Clapp, 8; Messrs. Lodge, Bristow and Tillman, one each. The Senate is still without a regularly elected president pro tempore.

All the nation laughed at this spectacle. It was amusing because it meant that the old oligarchy had crumbled and was falling.

The downfall of the Aldrich oligarchy is a big fact. In order to see into its significance, to view in perspective the changing order in the Senate, let us first stand off and inspect that institution from a distance.

* * * * *

Doubtful of democracy, the founders of the Senate were influenced by tory traditions to make it exclusive and lordly. Coming into existence as the product of precedent and compromise, its purpose was not to legislate but to veto—to provide an anti-democratic check upon other agencies of government. Accordingly, it was placed the farthest possible distance from the people.

During the days when the Republic was born, the monarchal idea was yet supreme. England had her upper and lower houses of parliament. It was inconceivable, therefore, that a national legislature could be created without an aristocratic branch to temper the democracy of the popular body—its Lords and its Commons. Even today it is but partially comprehended that the Senate, in point of utility, has no place in our plan of government. Certainly at that time it was not understood that a check upon the expressions of democracy in legislation might be vested in the referendum voice of the people—that "The cure for the ills of democracy is more democracy."

Although aristocratic in temperament and conservative in action, the first few decades of the Senate were illustrious and marked by true deliberation and dignity. Ability that body has always had. Then, as though simultaneously sensing its isolation and hearing the commands of a new master, it verified the predictions of its origin and became more a compromiser than a promoter of the principles of popular government.

In view of America's peculiar problems, nothing else could have been expected from a lordly, apart-from-the-people, institution like the Senate. It was only a step from the aristocracy of persons to the autocracy of property. When Big Business was ready to reap its harvests of special privilege, through participation in politics, the Senate was prepared by tradition and training to assume a large share of the new service. Bourbonistic in the beginning, it became naturally the modern millionaires' club—the serving of Big Business by big business men.

Between the eras of Hamilton and Harriman, there was a brilliant middle period for the Senate. In the fifties, and again after the war, characterized by able and deliberate debate, it was in 1907 stigmatized by the closed committee and secret caucus system. Its atmosphere had changed from statesmanship to politics. It descended from the plane of intellectual combat to the level of deal and dicker. Free discussions were less in evidence than free baths and free shaves; patriotism was replaced by perquisites. The property power and professionalism in politics developed side by side in the Senate.

The change encompassed all that lies between Webster and Aldrich. The Senate of Clay and Calhoun and Sumner became the Senate of Smoot and Guggenheim and Lorimer.

The climax of Aldrichism came in 1907. It would be well, with adequate time and space, to delve beyond that date into the history of *the Senate, but a brief* résumé of the sessions since will be sufficient

to show the decline of the oligarchy. More than that, they far eclipse in importance any period that has gone before. Two vitally new tendencies developed during the last six years:

*Special privilege changed its attitude toward legislation from defensive to aggressive; and*

*There began the movement to bring the Senate within reach of the people.*

Special privilege itself is not new. That question has always involved and overshadowed all other issues before the American people. At the time this story starts the warfare in the Senate between property and patriotism was a half century old, but previously the property power in politics had been fighting on the defensive, satisfied with conditions as they were; in 1908 the special interests assumed the aggressive and sought certain legislation for their own benefit.

*Until this period, ever since special privilege became the dominating force in the Senate, predatory corporations had fought defensively to protect themselves by preventing legislation in the interest of the people. Now they fought aggressively for statutes intended to multiply and perpetuate their advantages over the people.*

Safe behind high tariff walls, the property power in politics had been content to grow, first through combinations of corporations and then through combinations of combinations, until, in 1908, it had become a monopolistic monster of $31,672,160,754 capitalization, more than half of which was water. Then it strode defiantly into the arena. From that day to this, it is the people who have been on the defensive.

These combinations, in 1908, controlled "transportation, manufacturing, mining, capital and credit, the market price of everything the farmer sells, the wages of men, women and children in the factories and mines, and the market price of everything the consumer must buy." The high cost of living had resulted inevitably from the increased prices on transportation and trust products imposed to create returns on $20,000,000,000 or more of fictitious values. All this had come from the negative, or defensive, effort of the combined property power. Then the predatory corporations began the aggressive, constructive campaign to so shape legislation as to perpetuate their power and to increase the revenues of their control. They have been fighting since 1907, as they are today, to legalize their watered stock and compel from the people and posterity the payment of dividends upon their fictitious billions.

Four big battles of this character mark the period of which I write:

(1) *The Aldrich Currency Scheme;*

(2) *The Payne-Aldrich Tariff Law;*

(3) *The Taft-Wickersham Railroad Bill; and*

(4) *Canadian Reciprocity.*

In 1908, the money trust, successor of the protective tariff as a breeder of monopoly, was given the Aldrich-Vreeland emergency currency measure.

In 1909, the property power secured the Payne-Aldrich tariff bill, increasing the Dingley rates and incidentally disposing of the income tax.

In 1910, the transportation trust led its allies in a partially successful attempt, through the Taft-Wickersham railroad bill, still further to increase the public burden and bondage in this direction.

In 1911, the protected interests passed the Canadian reciprocity pact, to add to the manufacturers' special privilege exactions at the expense of the agricultural sections of the country.

In addition, the property power fought to subsidize the steamship monopoly and for other special privileges. It did enact a postal savings bank bill in harmony with the Aldrich scheme to divert the currency and credits of the country into the control of Wall Street.

*The astounding fact in connection with recent attempts of the property power at constructive legislation is that in the most important cases representatives of the special interests practically wrote the laws proposed for their benefit.*

An impartial portrayal of the period from 1907 to 1912 can recognize only two factions of the Senate. These are now known as Progressives and Reactionaries—those Senators who are independent of the property power, and those who play their part, knowingly or unwittingly, in the general scheme of special privilege.

Defining these present opposing Senate forces, according to the generally accepted idea of their relation to government—

*A Progressive is one who believes in the people, and that the solution of our social and industrial problems must come through greater political opportunities for the people;*

*A Reactionary is one who serves the special interests, negatively by opposing a larger scope and scheme of democracy, and positively by supporting their legislative program.*

It does not matter about their motive, nor the compensation that came to the Reactionaries of the Senate. Some served special privilege honestly, because, torylike, they had no faith in the common citizenship of the country. Others acted for the special interests ignorantly, being mere tools of the system. But most reactionaries were paid for their services—some in oligarchal flattery, some in newspaper praise, some in anticipated or fulfilled ambitions, some in local appropriations, some in business or professional opportunities, some in political preferment or plunder. The important thing is that, regardless of motive or method or compensation, the prgressives usually supported and the reactionaries opposed the development of democracy.

In the table which follows, I have attempted to show as accurately *and with* as little injustice as is possible, the character of the Senate *since 1908. In classifying* Senators as Progressives and Reactionaries,

I have taken into account a large number of roll calls and legislative situations which shed light upon their official conduct. There were three crucial tests on the Aldrich-Vreeland emergency currency measure in 1908—one when the Senate first passed the bill; a second when Aldrichism overrode the rules and precedents of the Senate to stop the La Follette filibuster; and a third after the conference committee had finally reported the bill in such a form that "any securities held by a national bank" could be used as a basis of currency issue.

There were more than one hundred and twenty-five roll calls on the Payne-Aldrich tariff bill; a great number on vital phases of the Taft-Wickersham railroad bill in 1910; about fifty of importance on Canadian reciprocity and the tariff bills of the special session of 1911; then there were fights to change bad features of the postal savings bank bill, to grant ship subsidies, and votes upon the ousting of Lorimer and Stephenson. I have not gone beyond the testimony of the official record in judging any Senator, although many unrecorded incidents have helped in a corroborative way.

It has been easy to fix the status of republicans, but much more difficult, in some cases, to determine where democrats should be classed. This is because democratic Senators were so long merely minority members and compelled to take no decisive action. Now that the democrats of the Senate have grown in numbers and are called upon, in almost every controversy between progressive and reactionary republicans, to wield the balance of power, the line of division in their ranks is becoming more and more distinct, and will soon be as clearly definable as within the old party of power. But as yet a few democratic Senators seem to be in "the twilight zone" between the two groups—half and half, or near progressives, as some characterize them.

In classifying such Senators, I have employed no qualifying terms. When in doubt, their attitude toward the organization of their party strength has been the determining factor. I make this explanation in order that the reader may understand that there are different degrees of progressivism and reactionaryism.

It should be noted, too, that republican progressives deserve more credit for real independence than do democratic progressives. The latter have never quite overthrown their partisanship, nor repudiated their party caucuses.

Although not always an infallible test, there is no better way to determine who are the progressives and reactionaries within each party than by considering their attitude toward the organization of their party strength. Contol of the organization, in modern Senate methods, means everything.

In the special session of the present Congress—the 62nd—the democratic members of the Senate caucussed to vote upon the selection of minority leader. Fortunately the details of that caucus, held April 7th, 1911, were published. The candidates were Thomas A. Martin, of Virginia, a pronounced reactionary; and Benj. F. Shively, of Indiana, an uncompromising progressive. Three democrats—Hoke Smith,

McLaurin and Tillman—were absent. The other thirty-seven voted as follows:

*For Martin, Reactionary*—Bacon, Bailey, Bankhead, N. P. Bryan, Chilton, Clarke, Culberson, Fletcher, Foster, Johnston, Overman, Paynter, Percy, Rayner, Simmons, J. W. Smith, Swanson, Taylor, Thornton, Watson and Williams—21.

*For Shively, Progressive*—Chamberlain, Davis, Gore, Hitchcock, C. F. Johnson, Kern, Lea, Martine, Myers, Newlands, O'Gorman, Owen, Pomerene, Reed, E. D. Smith, and Stone—16.

The attempt at an election of a president pro tempore in the open Senate furnished the same kind of a test for the republicans. On three occasions, May 11th, May 17th and June 6th, a vote was taken to no purpose, the Old Guard republicans being unable to muster a majority that would overcome the combined, though scattered, strength of the progressives and democrats. The democrats, according to caucus arrangements, solidly supported Bacon. The republican vote was divided as follows:

*For Gallinger, Regular Reactionary Republican Candidate*—Bradley, Brandegee, Briggs, Brown, Burnham, Burton, Clark, Crane, Cullom, Curtis, Dillingham, Dixon, du Pont, Gamble, Guggenheim, Heyburn, Jones, Lippitt, Lodge, Lorimer, McCumber, McLean, Nelson, Nixon, Oliver, Page, Penrose, Perkins, Root, W. A. Smith, Smoot, Stephenson, Sutherland, Townsend, Warren and Wetmore—36.

*For Clapp, Progressive Republican*—Bourne, Bristow, Crawford, Cummins, Gronna, La Follette, Poindexter and Works—8.

Two republicans classed as progressives, Borah and Kenyon, did not vote directly on any of the numerous roll calls on the election of president pro tempore, nor did Gallinger and Richardson, reactionaries.

It will be noted that no mention is made of any "pairs" in this roll call; nor do I intend to take into account "paired votes" in any other roll calls to be recorded in subsequent chapters. Pairing is little more than a relic of the barbaric past in legislation; it is a token of that partisan period when republicans and democrats invariably voted on opposite sides, regardless of the merit of the issue. With the gradual overthrow of machine methods in making laws, each question usually has individual character which cannot be determined in advance, and excepting in rare instances, "pairing" should be regarded as a slip-shod and cowardly way of meeting the responsibility of a vote.

These votes, upon the election of democratic minority leader and president pro tempore, give a fairly accurate idea of the progressive and reactionary strength of the present Senate. Brown and Dixon, who voted for Gallinger, are often found with the progressives, and one or two of the democrats who supported Martin for minority leader do not always belong in that camp.

The elections and re-elections of 1906-7, together with the unexpired terms, gave to the Senate the membership and general character indicated in the first part of the following table; the second portion pictures the partisan and factional changes that have occurred *since 1908:*

| THE SENATE IN 1908 | | | | | CHANGES SINCE 1908 | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| STATE | SENATOR | PARTY | END of TERM | CLASSIFICATION | SUCCEEDED BY | PARTY | CLASSIFICATION | REP. GAIN | DEM. GAIN | PROG. GAIN |
| ALA. | John T. Morgan | D | 1913 | React'y | J. H. Bankhead[1] | D | React'y | | | |
| | E. W Pettus | D | 1909 | React'y | J. F. Johnston | D | React'y | | | |
| ARIZ.* | | | | | M. A. Smith | D | | | 1 | |
| | | | | | H. F. Ashurst | D | | | 1 | |
| ARK. | Jos. P. Clarke | D | 1909 | Prog've | Himself | | | | | |
| | Jeff Davis | D | 1913 | Prog.[2] | | | | | | |
| CAL. | Frank P. Flint | R | 1911 | React'y | John D. Works | R | Prog've | | | 1 |
| | Geo. C. Perkins | R | 1909 | React'y | Himself | | | | | |
| COLO. | S. Guggenheim | R | 1913 | React'y | | | | | | |
| | Henry M Teller | D | 1909 | React'y | C. E. Hughes[3] | D | React'y | | | |
| CONN. | F. B Brandegee | R | 1909 | React'y | Himself | | | | | |
| | M. G. Bulkeley | R | 1911 | React'y | G. P. McLean | R | React'y | | | |
| DEL. | Henry A. duPont | R | 1911 | React'y | Himself | | | | | |
| | H. A. Richardson | R | 1913 | React'y | | | | | | |
| FLA. | J. P. Taliaferro | D | 1911 | React'y | N. P. Bryan | D | Prog've | | | 1 |
| | S. R. Mallory | D | 1909 | React'y | D. U. Fletcher | D | React'y | | | |
| GA. | A. O. Bacon | D | 1913 | React'y | | | | | | |
| | Alex. S. Clay | D | 1909 | Prog've | Hoke Smith | D | Prog've | | | |
| IDAHO | Wm. E. Borah | R | 1913 | Prog've | | | | | | |
| | W. B. Heyburn | R | 1909 | React'y | Himself | | | | | |
| ILL. | Shelby M. Cullom | R | 1913 | React'y | | | | | | |
| | Albert J. Hopkins | R | 1909 | React'y | Wm. Lorimer | R | React'y | | | |
| IND. | A. J. Beveridge | R | 1911 | Prog.[4] | John W. Kern | D | Prog've | | 1 | |
| | J. A. Hemenway | R | 1909 | React'y | B. F. Shively | D | Prog've | | 1 | 1 |
| IOWA | Wm. B. Allison | R | 1909 | React'y | A. B. Cummins | R | Prog've | | | 1 |
| | J. P. Dolliver | R | 1913 | Prog.[4] | Wm. S. Kenyon | R | Prog've | | | |
| KAS. | Chas. Curtis | R | 1913 | React'y | | | | | | |
| | Chester I. Long | R | 1909 | React'y | Jos. Bristow | R | Prog've | | | 1 |
| KY. | J. B. McCreary | D | 1909 | React'y | Wm. O. Bradley | R | React'y | 1 | | |
| | T. H. Paynter | D | 1913 | React'y | | | | | | |
| LA. | Murphy J. Foster | D | 1913 | React'y | | | | | | |
| | S. D. McEnery | D | 1909 | React'y | J. R. Thornton | D | React'y | | | |
| MAINE | Wm. P. Frye | R | 1913 | React'y | O. Gardner[5] | D | Prog've | | 1 | 1 |
| | Eugene Hale | R | 1911 | React'y | C. F. Johnson | D | Prog've | | 1 | 1 |
| MD. | Isador Rayner | D | 1911 | React'y | Himself | | | | | |
| | Wm. P. Whyte | D | 1909 | React'y | J. W Smith | D | React'y | | | |
| MASS. | W. M. Crane | R | 1913 | React'y | | | | | | |
| | Henry C. Lodge | R | 1911 | React'y | Himself | | | | | |
| MICH. | J. C. Burrows | R | 1911 | React'y | C. E. Townsend | R | React'y | | | |
| | Wm. A. Smith | R | 1913 | React'y | | | | | | |
| MINN. | Moses E. Clapp | R | 1911 | Prog.[4] | Himself | | | | | |
| | Knute Nelson | R | 1913 | React'y | | | | | | |
| MISS. | A. I. McLaurin | D | 1913 | React'y | LeRoy Percy[6] | D | React'y | | | |
| | H. D. Money | D | 1911 | React'y | J. S. Williams | D | React'y | | | |
| MO. | Wm. Warner | R | 1911 | React'y | Jos. A. Reed | D | Prog've | | 1 | 1 |
| | Wm. J Stone | D | 1909 | React'y | Himself | | | | | |
| MONT. | Thos. H. Carter | R | 1911 | React'y | Henry C. Myers | D | Prog've | | 1 | 1 |
| | Jos. M. Dixon | R | 1913 | Prog.[4] | | | | | | |

*The members from Arizona and New Mexico did not enter the Senate until January of the present year.

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|---|---|---|---|---|---|---|---|---|---|---|
| NEB. | Norris Brown | R | 1913 | Prog. [7] | | | | | | |
| | E. J. Burkett | R | 1911 | React'y | G. M. Hitchcock | D | Prog 've | | 1 | 1 |
| NEV. | F. C. Newlands | D | 1909 | Prog've | Himself | | | | | |
| | Geo. S. Nixon | R | 1911 | React'y | Himself | | | | | |
| N. H. | H. E. Burnham | R | 1913 | React'y | | | | | | |
| | J. C. Gallinger | R | 1909 | React'y | Himself | | | | | |
| N. J. | Frank O. Briggs | R | 1913 | React'y | | | | | | |
| | John Kean | R | 1911 | React'y | J. E. Martine | D | Prog 've | | 1 | 1 |
| N. M.* | | | | | T. B. Catron | R | | 1 | | |
| | | | | | A. B. Fall | R | | 1 | | |
| N. Y. | C. M. Depew | R | 1911 | React'y | J. A. O'Gorman | D | Prog 've | | 1 | 1 |
| | Thos. C. Platt | R | 1909 | React'y | Elihu Root | R | React 'y | | | |
| N. C. | L. S. Overman | D | 1909 | React'y | Himself | | | | | |
| | F. M. Simmons | D | 1913 | React'y | | | | | | |
| N. D. | H. C. Hansbrough | R | 1909 | React'y | A. J. Gronna | R | Prog 've | | | 1 |
| | P. J. McCumber | R | 1911 | React'y | Himself | | | | | |
| OHIO | Chas. Dick | R | 1911 | React'y | A. Pomerene | D | Prog 've | | 1 | 1 |
| | Jos. B. Foraker | R | 1909 | React'y | T E. Burton | R | React 'y | | | |
| OKLA. | Thos. P. Gore | D | 1909 | Prog've | Himself | | | | | |
| | Robt. L. Owen | D | 1913 | Prog've | | | | | | |
| ORE. | Chas. W. Fulton | R | 1909 | React'y | G. Chamberlain | D | Prog 've | | 1 | 1 |
| | J. Bourne, Jr. | R | 1913 | Prog've | | | | | | |
| PENN. | P. C. Knox | R | 1911 | React'y | Geo. T. Oliver | R | React'y | | | |
| | Boise Penrose | R | 1909 | React'y | Himself | | | | | |
| R. I. | N. W. Aldrich | R | 1911 | React'y | H. F. Lippitt | R | React'y | | | |
| | G. P. Wetmore | R | 1913 | React'y | | | | | | |
| S. C. | A C. Latimer | D | 1909 | React'y | E. D. Smith | D | Prog've | | | 1 |
| | B. R. Tillman | D | 1913 | React'y | | | | | | |
| S. D. | R. J. Gamble | R | 1913 | React'y | | | | | | |
| | A. B. Kittredge | R | 1909 | React'y | C. I. Crawford | R | Prog. [8] | | | 1 |
| TENN. | Jas. B. Frazier | D | 1911 | React'y | Luke Lea | D | Prog've | | | 1 |
| | R. L. Taylor | D | 1913 | React'y | Newell Sanders [9] | R | | | | |
| TEXAS | Jos. W. Bailey | D | 1913 | React'y | | | | | | |
| | C. A. Culberson | D | 1911 | React'y | Himself | | | | | |
| UTAH | Reed Smoot | R | 1909 | React'y | Himself | | | | | |
| | G. Sutherland | R | 1911 | React'y | Himself | | | | | |
| VT. | W. P. Dillingham | R | 1909 | React'y | Himself | | | | | |
| | R Proctor | R | 1911 | React'y | C. S. Page | R | React'y | | | |
| VA. | John W. Daniel | D | 1911 | React'y | C. S. Swanson | D | React'y | | | |
| | Thos. A. Martin | D | 1913 | React'y | | | | | | |
| WASH. | L. Ankeny | R | 1909 | React'y | W. L. Jones | R | React'y | | | |
| | S. H. Piles | R | 1911 | React'y | M. Poindexter | R | Prog've | | | 1 |
| W. VA. | N. B. Scott | R | 1911 | React'y | Wm. E. Chilton | D | React'y | | 1 | |
| | S. B. Elkins | R | 1913 | React'y | C. W. Watson | D | React'y | | 1 | |
| WIS. | R. M. LaFollette | R | 1911 | Prog've | Himself | | | | | |
| | I. Stephenson | R | 1909 | React'y | Himself | | | | | |
| WYO. | C. D. Clark | R | 1911 | React'y | Himself | | | | | |
| | F. E. Warren | R | 1913 | React'y | | | | | | |

[1]Mr. Bankhead took his seat June 18, 1907, succeeding Mr. Morgan, deceased.
[2]Mr. Davis was often found wanting when needed by the progressives.
[3]Mr. Hughes died and there has been no subsequent election by the Colorado legislature, making a vacancy from that State.
[4]Messrs. Dolliver, Clapp, Beveridge and Dixon were reactionaries in 1908 who *later became progressives.*
[5]*Mr. Gardner took his seat* Dec. 4, 1911, succeeding Mr. Frye, deceased.
[6]*Mr. Percy replaced* Mr. McLaurin, deceased, on February 24, 1910.
[7]*Mr. Brown is often found* with the reactionaries.
[8]*Mr. Crawford is hardly* a thoroughgoing progressive.
[9]*Mr. Sanders replaced* Mr. Taylor, who died last March.

The Senate that assembled in December, 1907, was dominated absolutely and in the most arbitrary manner by an oligarchy led by Nelson W. Aldrich. With the exception of La Follette, practically all of the progressives were included among the members who were then entering upon their initial service in the Senate. Save for a few such Senators as Gore, Owen, Borah and Bourne, most of these were incipient insurgents who became more progressive as they came better to understand conditions. For the most part those with progressive inclinations seemed awed into submission by the oppressive power of the Old Guard machine. Several were ready to fight the special interests in matters of legislation, but few were willing to wage war against "senatorial courtesy" and other lordly customs behind which special privilege members were entrenched. That had to be done first. La Follette alone battered down these obstacles.

The first insurgent trail was a dangerous and difficult journey. After the way was blazed—before the beginning of this story—a few, timidly and with faltering footsteps, helped to make it a beaten path. Today it has become the regular highway for a fourth of the Senate. The special interests still reign, but the Aldrich Oligarchy has been demolished and discredited.

The Old Guard Machine had many component parts, all so skillfully assembled and so thickly veneered with senatorial courtesy that the questionable elements were concealed in the center. For years this machine held undisputed sway. Even after its mask had been torn aside it still ruled through the subtle force of benefactions for those who were faithful and the severest of penalties for disturbers and dissenters.

The base of this machine was its cabinet. I shall not attempt here to identify these inner circle Senators. Any school boy or girl can today name those who comprised this coterie.

The making and manipulating of the machine was the chief business of the cabinet. The first step was always the regular republican caucus at the beginning of each Congress. From this caucus came the organization of standing committees and the rules which gave to a few of these subsidiary bodies almost absolute control of legislation and the activities of the whole Senate.

After this preliminary, but all-important, party caucus had given into the hands of a few reactionary leaders the machinery of the Senate, there came the secondary task of undermining mutiny in advance, of backfiring against insurgent outbreaks. This meant the enlisting of sufficient standpat privates to insure a majority in seasons of stress for the machine. At ordinary times, under the Aldrich régime, a fourth of the Senate was adequate to control. The work of getting a dependable majority for emergency's sake has not been difficult until the last few sessions because the Senate remained much the same, term after term. For example, say that Senator Blank had been a member and served the system continuously since 1883. His re-enlistment each succeeding session was a mere matter of form. But when new members arrived, they had to be assimilated into the system. This is the way it was brought about:

1. First, there was the nucleus consisting of the cabinet itself and the Old Guard members.

2. Next accessions came naturally and without effort from those new members elected and vouched for by special interests. Certain states are little more than preserves for special privilege and when they select new Senators the presentation of credentials is about all that is required to secure preferred positions in the machine.

3. When the caucus has yielded control of the organization, the cabinet is equipped to trade good committee assignments for allegiance to the system—a most potent and alluring form of bribe. "Stand in with the organization and get everything; oppose the powers that be and you face an utter lack of influence and humiliating ostracism." That was made painfully plain to all new members. Only the strongest and bravest ever choose the lonely way.

4. Another corner stone of the system was local laws and appropriations. If Senator Blank from one of the Great Northern States wanted certain legislation, or money for public buildings, on the theory that these things would create the impression that he was influential and add to his popularity at home, the machine most graciously would grant the favor in return for his support of their program. Accordingly, many an undersized statesman became big at home by being small and "useful" in Washington. The system had no "watchdog of the treasury."

5. But the crowning accomplishment of the Aldrich Oligarchy was its democratic "reserves." In 1908, the Senate contained sixty-one republicans and thirty-one minority members. Practically all of the republicans were reactionary and loyal to the oligarchy. Under those conditions, democratic votes were never needed, and the democrats were permitted to oppose the machine as often and as forcefully as they chose. It made no difference with results. But when the majority party began to decrease—the democrats now have forty-two in the Senate—and the progressive republicans to gain in strength, the system needed its "reserves" many times. Then it was that the democracy of the South stood revealed in its true light.

Today the staggering oligarchy is supported on one side by Eastern standpatters and on the other by Bourbon democrats of the South.

The method of the machine in respect to its reserves is illuminating. It was founded on the principle, "Do as you please until you are needed, but when we call, come." To be specific, Southern Senators have always, excepting in the special session of 1911, been more or less "democratic" on the tariff. Perhaps partisanship more than principle dictated that course. The machine approved of that kind of opposition because they had votes enough and it helped to maintain party lines. So Southern democrats were encouraged to conserve the traditions and attitude of their section—when the system needed no assistance. This principle was sometimes extended to reactionary republicans whose constituents were out of tune with reactionaryism. Standpatters representing tariff reduction states voted against the Payne-Aldrich bill in 1909 without in any way impairing their standing with the machine. The same thing occurred when certain reactionaries voted against the Canadian reciprocity pact. In neither case were their votes needed; constituents were satisfied; and the system *received no harm.* When votes were not needed, Aldrichism con*sidered the system best* served by that course which appeased the

most constituencies. Otherwise, too much of the oligarchy's time would have to be given to assimilating new members into the system.

One aim of Aldrichism was the welfare of each member of the machine. Mindful of the various home requirements of different Senators, it permitted every concession to local sentiment that did not interfere with the main purposes of the machine. It distributed local appropriations and pensions with a lavish hand. It protected members from their reactionary acts. The leaders had to be more or less in the limelight, but standpat privates could serve the special interests in secret caucuses and closed committees where no public record was ever kept. In some mysterious way it fell to the lot of machine members to receive columns and columns of newspaper praise, where insurgents had to be content with the barest mention, excepting when the press seemed to see an opportunity to belittle and discredit them.

For the new member, insurgency led only to social, commercial and political ostracism; the regular road, to ease and safety and success.

Such was the Oligarchy at the summit of its arrogance and power. Although primarily political, it was an organization fundamentally in the interest of special privilege. Just a few shrewd Senators composed it. They had an adequate retinue of regular republicans. In the beginning democratic "reserves" were unknown and unnecessary. Bear that in mind as we trace the outlines of their swift decline.

In 1907-8 there were in the Senate—

*Sixty-one republicans and thirty-one democrats;*

*Twelve progressives and eighty reactionaries.*

Since then twenty-seven Old Guard republicans have been retired through death or defeat and eleven of the reactionary democratic "reserves" have followed them out of the Senate. The successors of these thirty-eight have not in all cases proved progressive, nineteen of them now ranking as reactionary, leaving a net progressive gain of nineteen. Two elections of United States Senators have sufficed to make these changes.

The first session of the Sixtieth Congress tested the Oligarchy as it had never been tested before. The Aldrich currency scheme was then under initial consideration. That attempt to make watered stock a basis of currency issue was being steam rollered through the Senate under the misapprehension that it was a remedy for panics. La Follette determined to talk it to a temporary death, believing that later the country could be aroused to a realization of the dangers involved.

This filibuster of May 29th and 30th, 1908, is one of the most famous in the history of Congress. It must be remembered that La Follette was then "the lonely man of the Senate"—despised by Aldrichism above all others in the universe. Not only had he refused to be assimilated, but he had torn the mask of duplicity from before them. He had scorned their advances and defied all their power. He had told them to their faces that they served special privilege, and not the people. Here he was now, at this crisis, standing across their path and likely to prevent the first crucial step in the constructive program of the special interests—the birth of the Aldrich-Morgan monetary commission. Their hate and their fear was reflected in what they did.

There will be no attempt here to picture the speaking feat of La Follette, which was as great and dramatic as any modern event of its kind. What I want to suggest is the series of unscrupulous, un-

parliamentary practices through which Aldrichism triumphed on this extraordinary occasion. Let us number the obstacles imposed and consider them in chronological order:

*Obstacle No.* 1. The initial trick was characteristic of Aldrichism. When the bill was first presented to the Senate it contained provisions under which it was possible for the system to use railroad stocks and bonds, fictitious as well as real, as the basis for issues of currency. This was before the La Follette filibuster and relates to an earlier three-day speech which he made against the measure. La Follette prepared to attack this feature, of which Aldrich was aware. Accordingly, just before La Follette arose to begin his first speech, Aldrich nimbly withdrew that portion of the bill. La Follette proceeded, predicting that the part withdrawn in order that it might not be under consideration while he talked would be reinserted by a conference committee. This was practically what happened. This provision was one of the big things for which the property power was striving. Aldrichism saved it from La Follette's attack in March by temporarily taking it from the bill; reinserted in May, the cowardly Old Guard machine had to resort to measures even more dastardly to end La Follette's analysis of its viciousness.

*Obstacle No.* 2. La Follette began speaking before one o'clock p. m., May 29th, holding the floor for more than nineteen hours. It is a rule of the Senate, and has always been, that a quorum must be present or any member can force an adjournment. When a majority of Senators are not in the chamber, any one may raise the point of order of "no quorum," whereupon the roll has to be called to ascertain the number present and to bring in enough members to make a quorum. If such a call of the Senate does not result in a quorum, the Senate adjourns automatically. Without a quorum at any time, the Senate can be forced to adjourn.

La Follette desired adjournment in order to gain another day. It was his aim to talk the Senate into such fatigue that it would adjourn, either voluntarily, or automatically through the absence of a quorum.

After he had talked two or three hours there were few Senators left in the chamber. He raised the question of no quorum, and the resulting call of the Senate brought back enough members to make a majority. During the afternoon and evening of May 29th, this happened many times. Each roll call on the question of "no quorum" gave La Follette a few minutes for rest and nourishment. In addition it forced a quorum to be present.

Seeing that La Follette might accomplish his purpose at this rate, Aldrichism became desperate and determined upon a course that has no precedent or parallel in all parliamentary history. They disregarded the rules of the Senate and denied to La Follette the right to raise the question of "no quorum."

Following many conferences between the Vice-President and such Senators as Aldrich, Lodge, Foraker and Kean, it was decided that La Follette's attack could be stopped only through the perpetration of this outrage on the rules. Accordingly, when La Follette next demanded the presence of a quorum, Aldrich made the point of order that the question of "no quorum" could not be raised because no business *had intervened* since the same question had been determined. This *desperate expedient of* Aldrichism was therefore based on the *assumption that debate,* which sometimes takes up whole sessions of the

Senate, was not business. Vice-President Fairbanks seemed willing to serve the system, but did not care to wreck his reputation as a parliamentarian on so untenable a point of order, so declined to rule and passed the matter on to the Senate itself.

The Senate, by a vote of 35 to 5, decided the Aldrich point of order in favor of the machine and thus La Follette was forced to talk for hours and hours to an almost empty chamber. That roll call should be reproduced here:

*To Sustain the Aldrich Point of Order*—Aldrich, Ankeny, Brandegee, Briggs, Burkett, Burrows, Carter, Clapp, Clark, Curtis, Depew, Dick, Dillingham, Dixon, du Pont, Flint, Foraker, Fulton, Gallinger, Guggenheim, Hale, Hemenway, Heyburn, Hopkins, Kean, Long, Nelson, Piles, Scott, Smoot, Stephenson, Sutherland, Warner, Warren, Wetmore.

*To Sustain the Rules and Precedents of the Senate*—Brown, Gary, Johnston, Paynter, Taylor.

*Not Voting*—Allison, Bacon, Bailey, Bankhead, Beveridge, Borah, Bourne, Bulkeley, Burnham, Clarke, Clay, Crane, Culberson, Cullom, Daniel, Davis, Dolliver, Elkins, Foster, Frazier, Frye, Gamble, Gore, Hansbrough, Kittredge, Knox, La Follette, Lodge, McCreary, McCumber, McEnery, McLaurin, Martin, Milton, Money, Newlands, Nixon, Owen, Overman, Penrose, Perkins, Platt, Rayner, Richardson, Simmons, Smith of Maryland, Smith of Michigan, Stewart, Stone, Taliaferro, Teller, Tillman.

*Obstacle No.* 3. Certain democratic Senators had manifested an inclination to help La Follette. They had been handing him notes and suggesting points to aid him in the long speech he had undertaken. Whereupon Aldrichism strode into their midst and with clenched fists snarled forth this ultimatum: "If you do not stop giving assistance to La Follette, we will report out and pass the bill reducing the representation of the Southern states in the House of Representatives," which put an end to democratic sympathy and assistance. The race question of the South is one reason why there are democratic "reserves."

*Obstacle No.* 4. During the night La Follette depended for nourishment upon milk and egg from the Senate restaurant. About one o'clock his secretary brought him a glass of this mixture. He took one sip, stopped and said: "Take it away; it has been doped." Then in a lower tone he instructed that it be taken to his office and sealed up. The next day a chemical analysis disclosed that this glass of milk and egg contained enough ptomaine to have poisoned the whole Senate. His physician informed La Follette that death would have resulted had he drank it all. In spite of this poison in his system, La Follette continued his speech for six hours longer. After the fight was over he was ill for several days as a result of the ptomaine.

*Obstacle No.* 5. La Follette yielded the floor at seven in the morning of May 30th, Senator Stone taking his place. At this point Aldrich interposed another sharp, unparliamentary trick. He gained recognition to move that when the final vote was taken it be by ayes and nays. This question should not have been determined until the Senate had reached that point in the proceeding. But it was a part of the unscrupulous scheme "to get La Follette" and "save the Aldrich-Vreeland emergency currency bill;" and Aldrichism, in that emergency caring nothing for rules or precedents, high-handed it through, thereby gaining the opportunity to complete their triumph at the dramatic close of the filibuster.

*Obstacle No.* 6. Senator Gore, one of the most patriotic and far-seeing statesmen of our day, is physically blind. Aldrichism took advantage of that fact. Senator Stone had talked through the morning session and up to two o'clock. He was then relieved by the blind Senator from Oklahoma, who took the floor with the understanding that he was to speak two hours and that Senator Stone would then take his place, to be followed by La Follette with another long speech. When Gore was about ready to conclude he sent a messenger to tell Stone, who came from his committee room and sat in his seat. Gore was informed that Stone was there to replace him. Almost immediately Stone was called from the chamber by another Senator. Gore closed with the understanding that Stone was in the chamber and ready to take the floor. In that moment Aldrichism accomplished its unholy triumph.

*Obstacle No.* 7. The instant that Gore sat down, Heyburn and Aldrich were on their feet, the former asking recognition, the latter demanding that the roll be called on the adoption of the conference report and the final passage of the bill. Utterly disregarding the rights of Heyburn, the secretary called the first name, Aldrich, and Aldrich answered "aye."

Never before had the Senate witnessed so disorderly and disgraceful a spectacle; in all probabilty it never will again. Heyburn shouted for recognition. The ringing of bells—announcing that the vote was on—brought others rushing in, among them Stone and La Follette, who also insisted upon their rights to the floor. Aldrich, dishevelled, almost maniacal in those crucial seconds, insisted that the rules forbade any interruption of the roll call. He was master of the situation; he was obeyed, the filibuster was broken and the bill passed.

Had there been an instant's delay in the carrying out of this bold plan, had not Aldrich previously interposed his motion that the vote be taken by ayes and nays, thus preventing the meeting of that formality in its regular order, the filibuster would have continued indefinitely and might have accomplished its purpose. If any one of the "obstacles" which have been outlined had not occurred, the result might have been different. But with Aldrichism overriding the rules, and resorting to the most devious and desperate of tricks to carry out the orders of its master, the end could be reached in no other way.

But I doubt that either the indefensible conduct of the Oligarchy on this occasion or the vote by which the Senate passed the Aldrich-Vreeland Emergency Currency measure had much direct influence on the Senatorial elections of 1908-9. The public then understood neither of these extraordinary events. But somehow, it was in the air that Senate conditions were un-American and intolerable, and a number of vital changes were made in the personnel and purpose of the Senate. Summarized here the net result of these elections show:

*Reactionary Victories*—Old Guard Republicans were re-elected as follows: Messrs. Perkins, Brandegee, Heyburn, Gallinger, Penrose, Smoot, Dillingham, and Stephenson—8.

Reactionary democrats succeeded themselves as follows: Messrs. Stone, Overman and Johnston, who had taken the place of Pettus, deceased,—3.

*Reactionary republicans were replaced by reactionary republicans as follows: Messrs. Hopkins by Lorimer, Platt by Root, Foraker by Burton, and Ankeny by Jones—4.*

Reactionary democrats gave way to reactionary democrats as follows: Messrs. McEnery to Thornton, Whyte to J. W. Smith, and W. J. Bryan to Fletcher—3.

Reactionary democrats were replaced by reactionary republicans as follows: Messrs. McCreary by Bradley, and Teller by Hughes, who later died,—2.

*Progressive Victories*—Among the progressive Senators to succeed themselves in 1909 were Messrs. Clarke, Newlands and Gore, all democrats—3.

Reactionary democrats were replaced by progressive democrats as follows: Messrs. Clay by Hoke Smith, and Latimer by E. D. Smith—2.

Reactionary republicans gave way to progressive democrats as follows: Messrs. Hemenway to Shively, and Fulton to Chamberlain—2.

Reactionary republicans were replaced by progressive republicans as follows: Messrs. Allison by Cummins, Long by Bristow, Hansbrough by Gronna, and Kittredge by Crawford—4.

The democrats made a net gain of two at this time, while the bipartisan progressive element was strengthened by new Senators to the extent of eight. The score then stood—

*Republicans* 59, *Democrats* 33;

*Progressives* 19, *Reactionaries* 73.

Before the next expurgation opportunity for the people, the Senate grappled with the tariff and the transportation trust. As a result there were imposed upon the public the Payne-Aldrich tariff in 1909 and the Commerce Court in 1910. The former had probably the greater effect on the elections of 1910-11. Here is a summary of what happened:

*Reactionary Victories*—Reactionary republicans succeeded themselves as follows: Messrs. DuPont, Lodge, Nixon, McCumber, Sutherland and Clark—6.

Reactionary republicans were replaced by reactionary republicans as follows: Messrs. Bulkely by McLean, Burrows by Townsend, Knox by Oliver, Aldrich by Lippitt and Proctor by Page—5.

Mr. Scott a reactionary republican, gave way to Mr. Chilton, a reactionary democrat—1.

Messrs. Rayner and Culberson, reactionary democrats, succeeded themselves—2.

Reactionary democrats were replaced by reactionary democrats as follows: Messrs. Money by Williams, and Daniel by Swanson—2.

*Progressive Victories*—Messrs. Clapp and La Follette, progressive republicans, were re-elected—2.

Reactionary republicans were succeeded by progressive republicans as follows: Messrs. Flint by Works, and Piles by Poindexter—2.

Reactionary republicans were replaced by progressive democrats as follows: Messrs. Hale by C. F. Johnson, Warner by Reed, Carter by Meyers, Burkett by Hitchcock, Kean by Martine, Depew by O'Gorman, and Dick by Pomerene—7.

Mr. Beveridge, progressive republican, gave way to Mr. Shively, progressive democrat—1.

Messrs. Taliaferro and Frazier, reactionary democrats, were succeeded by Messrs. N. P. Bryan and Lea, progressive democrats—2.

In these elections, the democrats increased their membership by

nine, and the progressives of both parties gained eleven. The Senate then stood—

*Republicans* 49, *Democrats* 42;

*Progressives* 30, *Reactionaries* 61.

To bring the membership down to date it is necessary to take account of the deaths of Messrs. Dolliver and Taylor. The former was replaced by Mr. Kenyon, also a progressive republican, and the latter by Mr. Sanders, a republican supposed to be reactionary, who supplants a reactionary democrat.

Without considering Mr. Sanders nor the new Senators from Arizona and New Mexico, whose records are short and meagre, the present Senate situation is about as follows:

*Republicans*—37 *reactionaries,* 12 *progressives;*

*Democrats*—23 *reactionaries,* 18 *progressives*

* * * * *

There is no better way to demonstrate the changing order in the Senate than through a chronological study of roll calls. Let us consider a few vital votes from 1907 to 1912:

When the Aldrich-Vreeland emergency currency bill was passed May 30, 1908, the vote was as follows:

*Ayes*—Aldrich, Ankeny, Beveridge, Brandegee, Briggs, Bulkeley, Burkett, Burnham, Burrows, Carter, Clapp, Clark of Wyoming, Cullom, Curtis, Depew, Dick, Dillingham, Dixon, du Pont, Elkins, Flint, Foraker, Fulton, Gallinger, Guggenheim, Hale, Hemenway, Hopkins, Kean, Long, Nelson, Nixon, Piles, Platt, Scott, Smoot, Stephenson, Stewart, Sutherland, Warner, Warren, Wetmore.

*Nays*—Bacon, Bailey, Bankhead, Borah, Bourne, Brown, Clay, Culberson, Daniel, Frazier, Gary, Gore, Heyburn, Johnston, La Follette, McLaurin, Milton, Newlands, Owen, Paynter, Simmons, Stone, Taylor.

*Not Voting*—Allison, Clarke of Arkansas, Crane, Davis, Dolliver, Foster, Frye, Gamble, Hansbrough, Kittredge, Knox, Lodge, McCreary, McCumber, McEnery, Martin, Money, Overman, Penrose, Perkins, Rayner, Richardson, Smith of Maryland, Smith of Michigan, Taliaferro, Teller, Tillman.

This roll call reveals the oligarchy in full control. At that time the Aldrich machine was made up wholly of regular republicans. It was opposed by practically all democrats and a few insurgent republicans like La Follette, Borah, Bourne and Brown. Then and so long thereafter as the reactionary element on the republican side needed no assistance, the democrats were "the party of protest," always dissenting almost unanimously from all that Aldrichism attempted to do.

A year later, when the Payne-Aldrich tariff bill was enacted, the same situation prevailed. The vote then was 45 to 35, only one democrat, McEnery, voting affirmatively with the Aldrich regulars. On that roll call, the insurgent republicans had grown to ten.

The Aldrich oligarchy was still ruling on a purely partisan basis when the Taft-Wickersham railroad bill was acted upon in 1910. The republican regulars were yet strong enough to retain the commerce court feature of that measure against the protest of eight insurgents and all the democrats who voted. But that session marked the end of the old oligarchy. Thenceforth the democratic "reserves" were needed, and always in larger numbers.

A roll call in the present session will suffice to show the new alignment. On March 27, 1912, when an attempt was made to oust Mr. *Stephenson from* the Senate, because of the proved expenditure of *more than a hundred* thousand dollars in securing his election, the *vote was 40 to 34, as follows:*

*For Stephenson*—Bankhead, Bradley, Brandegee, Briggs, Burnham, Burton, Chilton, Clark of Wyoming, Crane, Curtis, Dillingham, du Pont, Fletcher, Foster, Gamble, Heyburn, Johnston of Alabama, Lippitt, Lodge, Lorimer, McCumber, McLean, Newlands, Nixon, Oliver, Overman, Page, Penrose, Perkins, Pomerene, Rayner, Richardson, Root, Smith of Maryland, Smoot, Sutherland, Thornton, Warren, Watson, Wetmore.

*Against Stephenson*—Borah, Bourne, Bristow, Brown, Bryan, Chamberlain, Clapp, Crawford, Culberson, Cummins, Dixon, Gardner, Gronna, Hitchcock, Johnson of Maine, Jones, Kenyon, Kern, La Follette, Lea, Martine of New Jersey, Myers, O'Gorman, Owen, Perry, Poindexter, Shively, Smith of Georgia, Smith of Michigan, Smith of South Carolina, Stone, Townsend, Williams, Works.

*Not Voting*—Bacon, Bailey, Clarke of Arkansas, Cullom, Davis, Gallinger, Gore, Guggenheim, Martin of Virginia, Nelson, Paynter, Reed, Simmons, Stephenson, Swanson, Taylor, Tillman.

In this case twelve democrats voted with the reactionary republicans.

* * * * *

The old oligarchy was built upon partisanship. Aldrich was its leader. The new Senate machine is bi-partisan. Its leaders are Penrose of Pennsylvania and Johnston of Alabama.

Today, in all essential things, this new alignment will rule for the special interests excepting when public opinion or political expediency makes that course unsafe, as in the case of Mr. Lorimer.

# CHAPTER IV

## *SHAM BATTLES ON THE TARIFF*

It has been shown that new conditions now prevail in both branches of the national legislature. The changing order in each case is due largely to the same cause, the Payne-Aldrich tariff enacted by the Sixty-first Congress. There was such general dissatisfaction with the tariff of 1909 that the people elected a democratic House and reduced the number of reactionary republicans in the Senate to a minority.

In the elections of 1908, both congressional and presidential, the plainly spoken mandate of the people was to revise the tariff downward. The country knows how that order was directly disobeyed. Again, in the elections of 1910, more emphatically than before, the electorate demanded a general reduction of rates. Their demands were met: (1) by the unasked-for enactment of the Canadian reciprocity pact, which bestowed still greater privileges upon a combination of protected interests; and (2) by a series of spectacular sham battles which left the schedules of the Payne-Aldrich tariff exactly as they were.

* * * * *

It would be well, were that possible, to present a behind the scenes report of the origin of the Canadian reciprocity scheme. Since that is out of the question, it aids the interpreter somewhat to know that the special interests seem to have looked upon the present epoch as their harvest time; that this measure was in complete harmony with their special privilege program.

RECIPROCITY WITH CANADA

The money trust had its inning in 1908, through the enactment of the Aldrich-Vreeland emergency currency act. In 1909, the already super-protected manufacturing trusts added still another tier of stones to the high tariff wall. The transportation trust, in 1910, secured the Commerce Court.

While every vested interest was, directly or indirectly, benefited by what Congress did in 1908, 1909 and 1910, it remained for three—the millers, the packers and the newspapers of the nation—to be provided their special portion of privilege in the legislation of 1911. Incidentally, as is always the case, the railroads were largely concerned in the Canadian reciprocity pact.

There has been so much misrepresentation of this measure that the testimony of some of its provisions should be introduced to show exactly what was contemplated in its enactment. It placed upon the—

| FREE LIST | DUTIABLE LIST |
| --- | --- |
| Horses, mules, cattle, swine, sheep, poultry, and all live animals. | Manufactured products of live stock, fresh and prepared meats, lard and tallow. |
| Wheat, corn, barley, hay and *grains of all kinds.* | Flour, meals, breakfast foods, cereals and biscuits of all kinds. |

Vegetables and fruits of all kinds.
Butter, cheese, milk, cream and eggs.
Sawed boards, railroad ties and posts, poles for telephones, etc.
Pickles and canned or prepared vegetables and fruits.
Agricultural implements and manufactured articles generally.
Finished lumber, building materials, coal, cement, etc.

This trade agreement with Canada removed the duty on raw products of the farm and left the duty on articles manufactured from farm materials. The undisputed object of the tariff being to restrict competition and so enhance prices, it follows that the farmer would lose through lower markets for his grain and stock, and that the manufacturer using raw products of agriculture would be doubly benefited, first by cheaper raw material and, second, by selling in a tariff-protected, non-competitive market.

To be more specific, the meat packers would derive vast profits from having the opportunity to buy both American and Canadian live stock in a free trade market and to sell all their meat products in a tariff protected market. The farmers would lose all that the packers would gain, while the consumer would remain at the mercy of the beef trust and other packing combinations.

The millers and manufacturers of cereal products would gain millions through free Canadian wheat and other grains, while retaining the protective tariff on flour and manufactured products of other grains. In this connection, in respect to one item alone, it should be remembered that wheat from the farms of the United States has sold for about ten cents a bushel more than Canadian wheat. The market price of Canadian wheat has been fixed at Liverpool; the price of American wheat by the demand of domestic millers, mostly in Minneapolis. These American millers could use practically all the wheat raised in both countries. With the tariff of 25 cents a bushel removed by this Canadian reciprocity pact it follows that the selling price of American wheat would be reduced to that of Canadian wheat, all of which the millers would gain. Meanwhile, flour would still be protected by a tariff and the consumer of bread would gain nothing.

A paragraph from one of La Follette's speeches against the pact contained this summary:

> "It denies the American consumer any benefits from the free agricultural products admitted to the American market by limiting the important products of the free list to the raw materials, such as wheat, oats, barley, flaxseed, cattle, sheep, and hogs, all of which must first pass into the hands of the miller, the brewer, Standard Oil, and the packers, combinations which absolutely control the prices of the finished products, before they can ever reach the consumer. It does more than that. It operates to increase the high protective duties of the Payne-Aldrich tariff for the benefit of the millers, the brewers, the packers, and Standard Oil from 27 per cent to 322 per cent, as I shall demonstrate later. Of course the manufacturers are for this bill. It admits raw materials free which they can manufacture and sell to American consumers at trust prices."

And then, to specifically illustrate this statement, he said:

"I will next take beef. Beef on the hoof will produce from 55 to 60 per cent of dressed beef. A steer weighing 1,400 pounds will produce dressed beef to the amount of 800 pounds.

"Now, just an illustration: Assume that a 1,400-pound live steer is worth 2 1-2 cents a pound. It does not make any difference how you figure it, but assume it is worth that.

"The tariff under the present law would be 27 1-2 per cent ad valorem, or $9.63. If imported in form of dressed beef, the tariff under the present law is 1 1-2 cents per pound, or $12. Of this $12, $9.63 is the compensatory duty, leaving $2.37 as the protective duty to the packer. This, by the way, covers more than the entire cost of converting the steer into dressed beef. But what do we find in the bill? Cattle are free, so there is no compensatory duty to be considered. The bill proposes a duty of 1 1-4 cents per pound on the dressed beef, and in the case of 800 pounds of beef produced from the steer the tariff will be $10, all protection, against $2.37 under the present law. This is an increase to the packer of 322 per cent over what he has in the Payne-Aldrich law."

Canadian reciprocity became quickly popular with the masses, and for a brief time even the farmers were misled as to its discriminations. This state of sentiment was the inevitable result of the campaign in its favor inaugurated by the organized press of the country. Two provisions of the pact eloquently explain this support:

"Type casting and type setting machines, adapted for use in printing offices," free of duty.

"Pulp of wood, mechanically ground; pulp of wood, chemical, bleached or unbleached; news print paper, and other paper, and paper board, . . . and valued at not more than 4 cents per pound, not including printed or decorated wall paper," free of duty.

In one of the hearings before the Senate Committee on Finance, the following letter to the editors of the country was made a part of the printed testimony:

NEW YORK, *February* 17.

"By request: private to editors: It is of vital importance to the newspapers that their Washington correspondents be instructed to treat favorably the Canadian reciprocity agreement, because print paper and wood pulp are made free of duty by this agreement.

"HERMAN RIDDER,
*"President American Newspaper Publishers' Association."*

Almost without exception, only a few such patriotic papers as the Philadelphia North American taking the opposite course, the daily newspapers of the United States engaged in a systematic campaign of misrepresentation concerning Canadian reciprocity—partly because it provided free print paper.

*In addition* to this directly selfish reason, the newspapers of the *nation, especially the* larger dailies, misdirected public sentiment in *favor of the measure* because they have grown to serve the special

interests and not the people. If that "community of interests" which directs the activities of all great trust institutions along a common predatory path has not yet quite completed the subserviency of the press, the advertising monopoly now in the business womb of the country will in due time fully accomplish that dire result.

The ablest reporters in the world are at the national capital. Many of them may be inclined to meet their great obligations by reporting the truth, but few of them do give to the country the crucial facts of government. Either voluntarily or through the orders of their employers, the Washington correspondents "do those things which they ought not to have done and leave undone those things which they ought to have done." If, during the last decade, the newspapers of the nation had done even a tenth of their duty there would be no reason for this humble revelation of congressional conditions.

It was easy to misrepresent this Canadian reciprocity pact. The people were in a tariff revision state of mind. "Reciprocity" caught their fancy.

The trade agreement known as Canadian reciprocity was first presented to Congress by President Taft on January 26th, 1911. The measure failing of consideration in the closing session of the Sixty-first Congress, the President called a special session of the new Congress and, through a combination of democrats and regular republicans, forced the passage of the pact.

Prior to this, the President, acting on his own initiative, conducted all the preliminary arrangements with the government of Canada. The terms of the act were agreed to in correspondence between the two countries. Then the executive mandate went forth that the measure should not be amended, even in the slightest particular. The i's had been dotted and the t's crossed. Under an implied threat of veto, the President coerced Congress into passing the pact exactly as it was presented.

The bill passed the House on April 21st by a vote of 268 to 89. It passed the Senate on July 22d, 53 to 27. Four days later it received the signature of the President and became a law of the United States. When the question was submitted to the voters of Canada it was rejected. That is the present status of the measure. Unless Congress repeals the law, Canada may at any time put it into effect by reconsidering her decision against it.

H. R. 4412, the Canadian reciprocity bill, having received the approval of the democratic caucus, passed the House with only the following democrats dissenting: Bathrick, Claypool, Doughton, Fowler, Gudger, Hammond, Pujo, Rucker of Colorado, Webb, Whitacre.

The republican vote was divided as follows:

*For Canadian Reciprocity*—Ames, Anthony, Austin, Barchfeld, Bartholdt, Bowman, Burke of Pennsylvania, Butler, Calder, Cary, Catlin, Cooper, Crago, Crumpacker, Danforth, Dyer, Farr, Foss, Fuller, Gillett, Greene, Griest, Harris, Heald, Higgins, Hill, Howland, Kent, Knowland, Lafferty, Lawrence, Longworth, Loud, McCall, McCreary, McKinney, Madden, Mann, Matthews, Miller, Moon of Pennsylvania, Murdock, Needham, Nye, Olmsted, Parran, Porter, Roberts of Massachusetts, Roberts of Nevada, Slemp, Speer, Stephens of California, Stevens of Minnesota, Sulloway, Switzer, Taylor of Ohio, Tilson, Utter, Weeks, Wilder, Wilson of Illinois, Young of Michigan.

*Against Canadian Reciprocity*—Akin of New York, Anderson of Minnesota, Bradley, Burke of South Dakota, Campbell, Cannon, Copley, Currier, Dalzell, Davis of Minnesota, DeForest, Dodds, M. E. Driscoll, Dwight, Esch, Fairchild,

Focht, Fordney, French, Gardner of Massachusetts, Gardner of New Jersey, Good, Guernsey, Hamilton of Michigan, Hanna, Hartman, Haugen, Hawley, Hayes, Helgesen, Hinds, Howell, Humphrey of Washington, Jackson, Kendall, Kennedy, Kinkaid of Nebraska, Kopp, Lafean, La Follette, Langley, Lenroot, Lindbergh, McGuire of Oklahoma, McKinley, McLaughlin, McMorran, Malby, Martin of South Dakota, Mondell, Moore of Pennsylvania, Morgan, Mott, Nelson, Norris, Patton of Pennsylvania, Pickett, Plumley, Powers, Pray, Prince, Prouty, Rees, Rodenberg, Simmons, Sloan, J. M. C. Smith, S. W. Smith, Steenerson, Sterling, Thistlewood, Towner, Volstead, Warburton, Wedemeyer, Willis, Woods of Iowa, Young of Kansas.

*Not Voting*—Andrus, Bates, Davidson, Draper, Henry of Connecticut, Kahn, Langham, McKenzie, Morse of Wisconsin, Payne, Sells, Smith of California, Vreeland, Wood of New Jersey.

After another spirited fight, Canadian reciprocity passed the Senate by the following vote:

*For Canadian Reciprocity*—Bacon, Bankhead, Bradley, Brandegee, Briggs, Brown, Bryan, Burton, Chamberlain, Chilton, Crane, Culberson, Cullom, Davis, Fletcher, Foster, Gore, Guggenheim, Hitchcock, Johnson of Maine, Johnston of Alabama, Jones, Kern, Lodge, McLean, Martin of Virginia, Martine of New Jersey, Myers, Newlands, Nixon, O'Gorman, Overman, Owen, Paynter, Penrose, Perkins, Poindexter, Pomerene, Reed, Richardson, Root, Shively, Smith of Maryland, Smith of South Carolina, Stephenson, Stone, Swanson, Taylor, Townsend, Watson, Wetmore, Williams, Works.

*Against Canadian Reciprocity*—Bailey, Borah, Bourne, Bristow, Burnham, Clapp, Clark of Wyoming, Clarke of Arkansas, Crawford, Cummins, Curtis, Dixon, Gamble, Gronna, Heyburn, Kenyon, La Follette, Lippitt, Lorimer, McCumber, Nelson, Oliver, Page, Simmons, Smith of Michigan, Smoot, Warren.

*Not Voting*—Dillingham, du Pont, Frye, Gallinger, Lea, Percy, Rayner, Sutherland, Thornton, Tillman.

In this struggle, reactionary democrats took refuge behind the magic name, "reciprocity." Progressive democrats supported the bill because they looked upon its enactment as the entering wedge of tariff revision. They recognized its injustice to the agricultural interests, but figured, perhaps correctly, that the farmers, driven to concerted action by the discriminations of the measure, would arise and overthrow the whole protective system.

But the democrats cannot excuse or justify their refusal to amend the measure. To be sure, President Taft had threatened a veto if any amendments were adopted. The coercive power of an impending veto did not influence their attitude toward other legislation. And it was their right, as it was their duty, to improve every opportunity to better the bill by changing its provisions. That it was virtually introduced by the President made no difference. The fact that it was a matter for congressional action made it a matter for congressional change.

* * * * *

THE SHAM BATTLE SYSTEM

Aside from all the foregoing suggestions, Canadian reciprocity is illuminating in another direction. Its history illustrates the ease with which a certain kind of tariff bill could pass the present Congress and the present President. This becomes more deeply significant in the face of the fact that no other kind of tariff laws could be enacted. The situation which made it so easy to pass a tariff bill for *special interests* and so impossible for precisely the same combination *of legislative elements* to agree upon any part of a program for a *reduction of rates is* a subject worthy of careful study.

To get an adequate idea of the sham battle system of revising the tariff, we should first consider the tariff commission.

The Progressives of Congress had been demanding a commission as a means of obtaining detailed information on the tariff. When the demand for any reform becomes so strong and insistent that it can no longer be withheld with safety, the modern method of the machine is to grant that reform, but to so pervert it that it will serve the property power and not the people. All this and more happened in respect to a real tariff commission in 1909. A commission popped up where none ever existed.

The system did not want the kind of a tariff commission contemplated by the progressives. A powerless, inefficient, subterfuge sort of commission would fit into their plans. Accordingly the Payne-Aldrich bill provided that the President might employ certain experts for the purpose of getting tariff data. The President took advantage of this provision and the men selected he wished into the "Taft Tariff Commission," an admittedly non-expert, non-partisan body that has no legitimacy as a commission and no power to make a real investigation with witnesses under oath. This alleged tariff commission has executive sanction, but little more authority to investigate than you as individuals would have. It is empowered to get no information from the protected special interests excepting such as those interests may voluntarily give. Furthermore it reports only to the President.

This Taft commission came out of the administrative provisions of the Payne-Aldrich tariff act; yet that law contains no mention of a tariff commission. The only authority for creating such a body is found in Section 2 of the Payne-Aldrich act, in the following language:

> "To secure information to assist the President in the discharge of the duties imposed upon him by this section, and the officers of the government in the administration of the customs laws, the President is hereby authorized to employ such persons as may be required."

Yet this alleged commission, practically picked out of the air, has been accepted by the country as legitimate and real; it has effectively checked all agitation for a bona fide commission; more than all else, it has played the star comedy part in all tariff tinkering since 1909; it holds the center of the stage today.

Two separate sham battle periods should be considered—"before" and "after." The first relates to the time when the Taft tariff commission had not reported its findings on different schedules; the second to the time after this body had reported to the President. The special session of 1911 came before the tariff board had acted; the regular session came after some of their reports were submitted.

During the first period, President Taft vetoed tariff reduction bills because his tariff board had not reported; during the second period, which covers the session recently ended, the President vetoed tariff measures because their reductions of rates were said to be below the recommendations of his commission.

In the special session, the democrats of both branches demanded radical revision of practically all schedules; the progressive republicans occupied middle ground; the reactionary republicans quite generally opposed any marked changes in the rates.

In the regular session, there was little change in the attitude of any faction, excepting that the regular republicans took a position in favor of moderate reductions.

The main point to be borne in mind is that in both periods, in every case, at all stages of the proceedings, everybody knew exactly what everybody else intended to do; that everybody did what it was absolutely certain that everybody else would not agree to. That is why every faction, excepting the President, was able to enter the campaign with varing degrees of tariff reduction record to their credit, while there were no actual changes in the schedules.

### TARIFF BILLS IN 1911.

*The Free List Bill*—This was a measure designed to correct some of the deficiencies and inequities in the Canadian reciprocity pact. It placed farm implements, leather, meats, flour, cereals, lumber, etc., on the free list. These provisions should have been a part of the reciprocity bill. Plainly they belonged in that measure. But they were considered and passed in a separate bill—and vetoed.

Everybody knew that the free list bill would fail of the President's signature. Therefore it is perfectly fair to assume that if those who were responsible for its passage had desired the enactment of such a law, rather than to play politics, they would have incorporated it in the Canadian reciprocity measure where it would have had some chance of presidential approval. But the democratic House caucus, the final arbiter in all such matters, decided that Canadian reciprocity should pass unamended, just as the President and republican regulars desired, and that the free list bill should go to the inevitable veto unsupported by any considerations which would make the President hesitate.

H. R. 4412, the free list bill, passed the House May 8, 1911, by a vote of 236 to 109. It was amended in the Senate and passed that body August 1, 1911, 48 to 30. Then followed a disagreement between the two branches, the differences being finally adjusted.

The free list bill was vetoed by the President August 18, 1911. On the same day an attempt to pass it over the President's veto failed in the House by a vote of 227 to 126.

*The Wool Bill*—Much the same fate befell H. R. 11,019, the bill reducing the rates on schedule K. This democratic measure passed the House June 20, 1911, by a vote of 220 to 100. The Senate substituted the La Follette bill, with more moderate reductions. Later a compromise measure was adopted by both branches, and promptly vetoed by the President. The attempt in the House to pass it over the veto failed, 227 to 129.

*The Cotton Bill*—It is rather difficult to write dispassionately the history of H. R. 12,812, the Underwood bill reducing the rates of the cotton schedule. Southern democrats do not want this schedule revised. It represents one of their industries. Therefore it is not strange that the measure was so made and manipulated that there was not one chance in a thousand of its becoming a law. The methods employed were the methods of petty politics.

The situation can be shown in a sentence: the democrats were pushing a bill which many of them wanted to see defeated; they made a deal with the reactionary republicans whereby the measure could be *passed in such a form* that it was absolutely certain to be vetoed by the *President. This was* accomplished in the Senate.

*In compliance with an agreement between southern democrats and reactionary republicans, the latter refused to vote upon the amendments and final passage in the Senate of the Underwood cotton bill, thus giving to the minority members the fullest opportunity to make the measure so drastic that its veto was inevitable.*

The Underwood bill passed the House, August 3d, by a vote of 202 to 90. It was reported adversely by the Senate Finance Committee on August 10th. *Then the regular republicans ingloriously withdrew, leaving the minority of democrats in full control of the Senate.*

Bacon, who comes from a state with more than a hundred cotton mills, offered an amendment to this cotton bill, reducing also the rates of the metal schedule. This added a feature which made it easier for the President to veto the bill, and more certain, if additional assurance were necessary, that he would do so. *Thirty-six republicans were absent or refrained from voting* and the 28 affirmative democratic votes adopted the amendment. Twenty-five republicans, including the progressives who were present, voted no.

Overman, who represents North Carolina with nearly three hundred cotton mills, presented an amendment to the cotton bill revising the rates of the chemical schedule. This made the cotton bill still more confusing and more absolutely certain of veto. It was adopted, 27 to 22, *forty not voting.*

Then came the next real test. La Follette offered an amendment, striking out the drastic democratic provisions as to cotton, and also the amendments with which they had encumbered the bill, and substituting a new bill with moderate reductions of the cotton schedule. The La Follette substitute could hardly have been vetoed with any semblance of justification, but it was defeated, 10 to 51.

After the La Follette substitute had been rejected, the Underwood bill, with the Senate amendments making it more impossible, was placed upon its final passage. *Thirty-six did not vote* and the measure was adopted 29 to 24.

For once, thanks to the very extraordinary situation just described, a bill was passed in so satisfactory a form that it needed no "last minute" amendments. Accordingly there was no conference committee. The democratic House agreed to the Senate changes in the cotton bill.

President Taft vetoed the bill.

So much for the tariff "legislation" of the special session of 1911. It yielded nothing, excepting Canadian reciprocity, a measure obviously not in the interest of the public.

A combination of democrats and reactionary republicans, working with the President, enacted the reciprocity pact. In that case, the cooperation of these elements was open and harmonious. In all other attempts at tariff legislation, the same combination, by a subtle arrangement of "irreconcilable" differences, by a carefully concealed refusal to "get together," prevented any and all revision of the Payne-Aldrich tariff.

### TARIFF BILLS IN THE REGULAR SESSION.

The blank cartridge assaults on the tariff continued through the last session. It is hardly necessary to recount these sham battles because they were practically the same as in the special session. The same elements were at work; the same results obtained.

*The Free List*—It is very significant that there was no individual "free list" bill in the last session, advertised and promoted as such. In the special session the free list bill was a much discussed measure, but there was little sign of such legislation during the session just closed. Why? I do not know. However, it seems only reasonable to suppose that its team mate, Canadian reciprocity, being out of the way, there was no longer any political necessity for this issue. The democrats in 1911 emphasized the free list bill to bolster up and justify their record on Canadian reciprocity. In 1912 the passage of the Canadian reciprocity pact was not before Congress. Accordingly agitation for a separate and distinct free list bill was reduced to the minimum.

*The Chemical Bill*—In the tariff "legislation" of the last session a double system of "checks" was brought into use. First the House and Senate played "horse" with bills. Then, if the measure in question survived this procedure, it was passed on to the Presidential veto. The chemical bill, a loosely drawn, imperfect measure, was one of those which did not live to be vetoed. This bill, H. R. 20,182, passed the House February 21, 1912, by a vote of 179 to 127. It was killed in the Senate, 27 to 32, on July third.

*The Excise Bill*—H. R. 21,214, the much advertised excise bill, met much the same fate. It passed the House, 252 to 40. The Senate sent it back, having incorporated an alien amendment repealing the Canadian reciprocity pact. This, of course, the House could not agree to consistently and the measure went into "conference" from whence it never emerged.

*The Sugar Bill*—Much more of the same "team work" between House and Senate is revealed in the history of H. R. 21,213, reducing the rates of the sugar schedule. The bill passed the House, 198 to 103. After an attempt to encumber the measure with another repeal of Canadian reciprocity, the Senate passed what amounted to a new bill. This the House rejected and the issue is still in the hands of a conference committee.

*Iron and Steel*—The Underwood bill reducing the rates on iron and steel passed the House January 29, 1912. 211 to 110. It was reported adversely by the Senate Committee on Finance, April 5th. Later the Senate passed the bill after adopting three important amendments which: (1) reduced the rate on pig iron from 8 to 6 cents; (2) reduced the rate on ferro alloys from 15 to 10 per cent; and (3) tacked on the ever ready repeal of Canadian reciprocity; each and all of these amendments made the bill more certain of veto. The House would not agree to the repeal of Canadian reciprocity and the measure went to conference, where the two bodies jockeyed back and forth as though the issue were real. Finally both branches accepted a compromise, which the President vetoed. The bill passed the House over the veto, 174 to 83, but failed in the Senate, 32 to 39.

*The Wool Bill*—The House passed H. R. 22.195, the democratic wool bill, on April first, 190 to 92. July 25th, the Senate amended this measure by substituting the La Follette bill, with more moderate reductions which were easily within the dead line laid down by the tariff commission. The real test came July 30th in the House when this Senate amendment was acted upon. At that time the House had a *choice of three wool* bills:

1. *The Underwood bill,* which was absolutely sure of veto;

2. The La Follette bill, with about equal chances of Presidential approval; and

3. The Payne bill, which carried moderate reductions based upon the tariff board's report, and would have received the President's signature.

This is what the House did. First it voted down the Payne bill, 77 to 159. Then it rejected the La Follette substitute, 56 to 179. Next it repassed the Underwood bill, deliberately and tenaciously sticking to the measure which had the least chance of becoming a law.

Later there was a conference committee, a compromise bill, and the inevitable veto. The House passed the compromise bill over the veto, 174 to 80, but it died in the Senate, 39 to 36, not having the necessary two-thirds.

*The Cotton Bill*—It is fitting that this résumé of sham battles on the tariff should close with the cotton bill—the last and the least. I need hardly repeat that Southern democrats do not want a revision downward of this schedule. Possibly that is why the blank cartridge assaults on it did not begin until June 4th. It was not until that date that H. R. 25,034 was introduced. This measure passed the House August 2d, after the Hill substitute had been rejected 86 to 146, by a vote of 158 to 72. The Senate again trotted out the overworked repeal of Canadian reciprocity, attached a part of it to the bill, passing the measure in that amended form, 36 to 19, on August 14th. The bill then journeyed back to the House and is still in the hands of the Ways and Means Committee.

* * * * *

Perhaps the worst evil effect of all this farcical performance is the least apparent. It has served and will serve to keep public attention focussed on tariff tinkering to the neglect of bigger problems.

None will deny that the tariff has nurtured monopoly. Protection was "the father of the trusts." But after a child has become thirty-five or forty years old it is not physically affected by what may happen to its proud parent. World monopoly is supplanting American monopoly. Neither Schedule K, nor all phases of the tariff combined, can compare in importance with other questions before Congress, yet the tariff has the right-of-way and the special interests and professional politicians will see that it continues to obstruct other bigger things.

The tariff is ceasing to be the chief bulwark of special privilege, but it will be very useful to predatory wealth for years to come as a means of diverting public attention from more vital problems. The national habit of considering the tariff their best form of political entertainment will make this possible.

## CHAPTER V

### *THE NEW PHRASE UPON BANK BILLS*

Before beginning this story of the Aldrich currency scheme, get a national bank note and inspect it—carefully. In one corner you will discover a new phrase. The average man and woman have not known that the new words were there, to say nothing of why they have been inscribed upon all our bank note currency.

Those eight epochal new words are the key to the monetary measure now pending in congress.

* * * * *

Congressman Charles A. Lindbergh, of Minnesota, has studied the new Aldrich scheme more deeply than any other man in Washington. He has said of it:

THE NEW ALDRICH BILL

"The new Aldrich banking and currency plan is a monstrous scheme to place under one control all the finances of the country, public and private. It would create one great central association with 15 branches to encompass all the states. Each branch would have local associations within. Each local association would be composed of the individual banks and trust companies. It would admit of no membership except banks and trust companies and exclude the smaller ones of these. The rest of the world would not only be excluded from holding the stock, but by the nature of the association's powers and the relation of finances to commerce it would dictate the terms on which business should be done. With that power centered in the great city banks and these banks controlled by the trusts and money powers, the politics as well as the business of this country would be under its absolute dictation.

"Among the things demanded from Congress for this association are the following:—

That it shall be named the 'National Reserve Association';

That it shall take from localities of subscribing banks and trust companies and place under the central control, funds equal to 20 per cent of their capital; that it shall be a reserve agent for these banks and receive the reserve funds of their depositors;

That it shall be the fiscal agent of the United States and that the government's general funds shall be deposited with it;

That it shall pay no interest to either the banks or the government, the association itself having the power to fix the rate of interest that the subscribing banks shall pay when they borrow from the association, the banks not being limited in what they may charge to borrowers;

That the association shall be exempt from taxes;

That it shall have the right and power to print and circulate in unlimited quantities its legal tender notes to be passed as money without any security for redemption except its own assets kept under its own

control; that it may issue approximately $220,000,000 without paying anything whatever for that special privilege; that it may, if it elects, through the subscribers to its stock, print and circulate $680,000,000 more on the same terms; that it may hold the cash deposits of the government and the reserves of subscribing banks against its note issues thereby furnishing it with opportunity to manipulate exemption from any special tax on the unlimited billions of note issues which it seeks authority and would have power to issue if Congress enacts the plan.

"There is no provision in the plan whereby reasonable rates of interest to the borrowing public would be insured. The public is asked to trust the controlling banks of one special business with all these and many more privileges and powers.

"The money powers are seeking to secure its enactment into law for the express purpose of saving the trusts from bankruptcy on their watered stock. There is only one way to save them and that is by the public taking the load, and the Aldrich plan is the scheme by which it is proposed that shall be done. If they cannot otherwise secure its enacement into law, they may bring on another panic to coerce the people and Congress as they did in 1907 and 1908.

"With the money trust in control of the National Reserve Association, it would put officials whom it could trust in authority in every branch of its activities. It would provide them enormous salaries to be paid by the people, which would consume a large proportion of the profits above the 5 per cent dividends on stock held by subscribing banks and the 20 per cent surplus. By increasing enormously the capital of banks controlled by it, it would increase in like proportion the capital of the association on which the 5 per cent and 20 per cent surplus are to be paid, so that the salaries of its officials and hirelings and the dividends and surplus would eat up the greater part of the excess profits that would accrue from the business, leaving little or nothing for the government as a return for the use of its funds.

"It would use the legal reserves of all the subscribing banks, its own individual capital, the government deposits, its discounted paper obtained partly through a $220,000,000 gift from the government and which gift it could, at its option, increase to $900,000,000, as a basis on which to issue billions of dollars of aerated money. This it would loan to its own subscribing banks at a rate so low that it would enable them put every independent bank in the country out of business. And as subscribing banks could secure funds from the National Reserve Association to loan at low rates of interest when the purpose would be to destroy competition, they would at once cease paying interest on time deposits and savings accounts. As soon as competition was destroyed, the associated banks would agree not to cut into each other's territory and they could then charge the borrowers all the traffic would bear, in the same manner as all the other trusts have done, lowering the rate of interest again whenever it was necessary to freeze out, or buy out, the business of anyone who would start a competing bank.

"With the money trust in control of the National Reserve Association, the latter would draw to itself the cream of the assets of the subscribing banks and force most of the smaller banks to go out of

business. When any of these banks would fail, the depositors would find all of the best and earliest maturing paper discounted with the National Reserve Association and far beyond their reach.

"The money trust could, under the pending bill, continue, as now, to exert its enormous dominating power over business to prevent any of the associated banks from extending credit to any individual, firm or corporation proposing to engage in business likely to compete, in the slightest degree, with any trust controlled enterprise. It would, as now, be able absolutely to prevent the construction of any short-route, trans-continental railway, which might be able and willing actually to compete with existing lines and likely to lower transportation cost to the people.

"The money trust would make the discount low when it wanted to freeze out competitors or market undigested securities; and high when it wanted to make a killing and buy them back at bargain prices. It would have the greatest agency that ever existed to scalp profits from the products of the farmers and the wages of labor.

"If any bank or banker showed any sign of independent thought or action, with its enormous resources, the National Reserve Association could cause to be established a competing bank in the territory which would proceed to do business at cost until the offending bank was brought to terms or closed out. After a few experiences of this kind, all the subscribing banks would be subservient and become the servants of the dominating large banks. Through them and the influence they would exert on borrowers and business men everywhere, the money trust would be the absolute political master of this country, and would control the election of Presidents, Congresses, governors, state legislators, city and village councils, the appointment and election of judges.

"It would use its trusted lieutenants, who would be in authority in every branch and local association, to secure inside information as to the business secrets and financial standing of every borrower in the United States.

"There would be nothing too great for it to undertake, or too small to escape its notice. It would establish its branches and agents in foreign countries and obtain a world-wide monopoly.

"The vast majority would be poorer than they are now, but the favored few would be vastly richer.

"We would have an 'elastic' currency, indeed! It would stretch to enormous proportions when it was to the interest of the money trust to have the people borrow, and recoil with disastrous consequences, when the decree went forth to pay. It would crush the hopes of millions."

* * * * *

THE EMERGENCY CURRENCY ACT

It will be necessary, in order to study this currency plan as its importance merits, to look into its origin, which was the Aldrich-Vreeland emergency currency act of 1908. In retrospect we see the whole situation sharply outlined against the background of our commercialism. First there was the epoch of over-capitalization, of watered stock, which necessity was the mother of this legislative invention. Then came the panic of 1907, improvised in part for the purpose of securing from Congress the Aldrich-Vreeland law. Out of that act came the Na-

tional Monetary Commission, from which in turn has come the currency bill now before congress, the most economically and industrially important in the history of the nation. The rest is for the future to unfold—possibly another panic to bend the public knee and compel popular consent to the passage of the pending bill.

In my investigation of the Aldrich-Vreeland emergency currency act, I sought counsel of many economists who have been following closely the developments of the last decade. No two agreed as to what the law of 1908 had accomplished. More than that, no two construed the phraseology of that law in exactly the same way, which is not surprising in view of the language of the statute. No man, lawyer or layman, can read the Aldrich-Vreeland law and tell, without qualification or conjecture, what it provides.

There was such an amazing ignorance of the provisions and results of the law of 1908, that on April 12th, 1912, armed with a letter from a member of Congress, I visited the Treasury Department to get first hand information. The Comptroller of the Currency very firmly refused to discuss the questions, informing me that Dr. Andrew knew all about the National Currency Associations, and he messengered me into the pleasant office of the latter. Dr. A. Piatt Andrew, then First Assistant Secretary of the Treasury, gave courteous consideration to the following letter:

HOUSE OF REPRESENTATIVES, U. S.
WASHINGTON, D. C.

April 11, 1912.

*Hon. Lawrence O. Murray,*
*Comptroller of the Currency,*
*Washington, D. C.*

MY DEAR SIR:

As a Member of Congress I am very much interested in the present financial situation. The bearer of this letter, Mr. Lynn Haines, is also interested. He has asked me for certain data which I have not at hand. I shall be very much pleased to have you give him information that will answer the following questions:

1. How many National Currency Associations have been formed since the passage of the Aldrich-Vreeland emergency currency act of 1908, and how many are now in process of formation?

2. What functions have these National Currency Associations performed since their organization?

3. Has any Emergency Currency been issued?

4. Is the Treasury Department prepared to issue the maximum amount—$500,000,000—of emergency currency at any time there may be a demand for it?

5. Where and how would an emergency originate?

6. Have the National Currency Associations been instructed as to the kinds of securities which will be accepted as a basis for emergency currency?

7. Have any bank notes been issued on the deposit of railroad securities other than government bonds?

8. What amount of bank notes have been issued bearing the words, "Secured by United States Bonds or Other Securities"?

9. What is the origin of this phrase, and why is it used on all bank notes now issued?

10. To what extent have railroad securities been accepted as a guarantee for deposit of government funds in national banks, and when did this practice begin?

Thanking you for this information, I am,

Very truly yours,

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*Question No.* 1. From Dr. Andrew's records I learned that National Currency Associations had been formed, in accordance with the provisions of the Aldrich-Vreeland law, as follows:

| National Currency Association of | No. of Banks. | Capital. | Surplus. |
|---|---|---|---|
| Washington, D. C. | 10 | $5,152,000 | $3,857,000 |
| the city of New York, N. Y. | 86 | 116,252,000 | 122,870,000 |
| the city of Philadelphia, Pa. | 28 | 20,825,000 | 33,075,000 |
| the State of Louisiana | 10 | 6,100,000 | 3,840,000 |
| the city of Boston, Mass. | 15 | 18,450,000 | 15,650,000 |
| Georgia | 28 | 7,281,000 | 5,152,000 |
| the city of Chicago, Ill. | 11 | 41,250,000 | 22,350,000 |
| the city of St. Louis, Mo. | 10 | 19,460,000 | 12,105,000 |
| the Twin Cities (St. Paul and Minneapolis) | 14 | 10,650,000 | 9,025,000 |
| the city of Detroit, Mich. | 16 | 6,725,000 | 2,945,000 |
| Albany, Rensselaer and Schenectady | 11 | 3,560,000 | 3,310,000 |
| Kansas City and St. Joseph, Mo. | 10 | 5,900,000 | 3,700,000 |
| the city of Baltimore, Md. | 20 | 13,340,710 | 7,947,010 |
| Cincinnati, Ohio | 10 | 14,300,000 | 7,400,000 |
| Dallas, Tex. | 14 | 3,750,000 | 2,437,000 |
| Alabama | 25 | 5,630,000 | 3,232,500 |
| Denver, Colorado Springs and Pueblo | 16 | 4,575,000 | 4,580,500 |
| Total | 284 | $303,200,710 | $263,476,010 |

Here is a significant fact for the thousands of smaller commercial national banks and for state banks to consider: These seventeen National Currency Associations, while representing in number only 284 out of about 7,500 national banks, represent almost 30 per cent of the combined capitalization of all national banks. The Aldrich-Vreeland *law works to* the advantage of banking institutions over the public; *just as obviously, it* gives all those advantages to the bigger banks.

It should be noted also that these seventeen National Currency Associations are grouped in certain sections and are not so scattered as to serve the entire country. All but six are in the East and South, with none west of Colorado. The meaning of this is made clear when it is understood that "emergency currency" can be secured only through one of the National Currency Associations and by a national bank belonging to one of the seventeen.

*Question No.* 2. Dr. Andrew answered that the seventeen National Reserve Associations had performed no function since their organization. Why, then, had they been formed, particularly the later associations, which came into existence after it seemed certain that no panic would make necessary their use? The answer to this was not very definite, but extremely illuminating. Dr. Andrew was guarded in his comment, which indicated beyond question that he expected "some legislative action" on the Monetary Commission's plan—the pending bill—in which case the National Currency Associations formed under the Aldrich-Vreeland act could become active agents of the later scheme. This was precisely what I wanted to know—the probable relation of the temporary, expedient, panic-produced law of 1908 to the permanent plan of the money trust.

*Question No.* 3. No emergency currency has been issued under the 1908 act, said Dr. Andrew.

*Question No.* 4. The $500,000,000 of emergency currency provided for in the Aldrich-Vreeland law—and more than fifty million extra—is already engraved and in the vaults of the Treasury Department ready to be put into circulation at any time.

*Question No.* 5. When and how would an emergency originate? Dr. Andrew did not appear particularly pleased with this question. He made two or three random suggestions, such as "war," or "the failure of a big bank." But it narrowed down to this: That the emergency currency, already printed and ready for circulation, would be issued whenever the National Currency Associations asked for it—an important point for the public to consider.

*Question No.* 6. The law provides for the kinds of securities upon which emergency currency will be issued, answered Dr. Andrew. The law says "any securities, including commercial paper," held by a national bank.

*Question* No. 7. Have any bank notes been issued on the deposit of railroad securities or any securities other than government bonds? No, answered Dr. Andrew.

*Question No.* 8. What amount of bank notes have been issued bearing the words, "Secured by United States Bonds or Other Securities"? Here one gets the full import of the Aldrich-Vreeland emergency currency act and also an insight into the infinitely larger menace of the Monetary Commission's plan now pending.

From Dr. Andrew's rather reluctant statement I discovered the astounding fact that, acting on the authority of the Aldrich-Vreeland law of 1908 and as fast as possible after the passage of that act, the Treasury Department had called in practically all the bank note currency in circulation and reissued it, every new bank bill bearing this inscription, "Secured by United States Bonds or Other Securities."

"Other securities" is the key to both the Aldrich-Vreeland emergency currency act of 1908 and the Aldrich Monetary Commission's bill now before Congress.

During the first half of the present decade came the climax of overcapitalization in this country. The "combination of combinations" period ended in 1908 with a combined public utility and trust capitalization of more than $30,000,000,000. Undoubtedly much more than half of this was, and is, water—fictitious value. The Wall Street manipulators had "made" all these billions of watered stock: the next step was to legalize them—to prevent the squeezing out of the water through such agencies as the physical valuation of their properties. The money trust apparently decided that the best way to legalize and perpetuate their watered stock was to make it a basis of national currency—to get these fictitious billions so entwined and intertwined in our monetary system that no attack could ever be made upon watered stock without disturbing and depreciating our national currency.

To be sure, the plan has not progressed beyond the engraving of more than $500,000,000 of emergency currency, "Secured by United States Bonds or Other Securities," and the reprinting of practically all national bank notes so that they also bear these words. And you may argue that the scheme will never be unfolded further; but that seems a vain hope. The stage is all set for the next act. Its consequence is too vital to the money trust for those interests to surrender their advantage.

While everything is prepared for its use—the phrase "Secured by United States Bonds or Other Securities" upon all bank notes, the $500,000,000 of emergency currency all printed and in the treasury vaults, and seventeen National Currency Associations organized—the Aldrich-Vreeland emergency currency act has never been utilized excepting as a means of preparation for the pending situation. And it may never be employed further by the money trust. Wall Street is working for the passage of the National Monetary Commission's bill, which will accomplish for those interests all and vastly more than could be milked from the public through the law of 1908. If the pending bill is enacted—from all indications it is the present plan to put it through Congress next winter—the act of 1908 will never be used excepting as it has already been used to produce the pending bill and gradually to accustom the people to "Secured by United States Bonds or Other Securities" on their bank note currency.

But if the public protests too vigorously against the passage of the pending bill—if any one of a number of possibilities happen—the money trust can, with no obstruction whatever, turn over to the government its "other securities" and obtain, on that basis, the $500,000,000 of emergency currency. Then the start will have been made. That is what the Aldrich-Vreeland bill was for—the beginning.

Now note carefully the next revelation.

*Question No.* 9. What is the origin of this phrase ("Secured by United States Bonds or Other Securities")? The authority to use these words was interpreted out of the Aldrich-Vreeland law of 1908, which must be accepted as conclusive proof that that act has had certain *tangible* and vitally important results.

*These words*—"Secured by United States Bonds or Other Securities" —*have been engraved* on our outstanding bank notes, so Dr. Andrew

explained, in order that our national bank note currency will in every physical respect conform to the appearance of the emergency currency, when that is put into circulation. Then the public will not be able to discriminate against the emergency currency. It was an admission that the people might not consider emergency currency, based upon "other securities," the equal of money based only upon government bonds; accordingly it has been made impossible to tell the difference.

The public may not even know when emergency currency is issued.

*Question No.* 10. Dr. Andrew answered that the practice of accepting railroad securities as a guarantee of deposits of government funds in national banks began under Secretary Shaw, but that comparatively a small amount of railroad bonds were now held for that purpose.

* * * * *

The Aldrich-Vreeland bill contained no clear-cut provision whereby a national bank, after joining a National Currency Association, could withdraw. When pressed to explain why he had made a ruling which read into that law "a way out," Dr. A. Piatt Andrew, First Assistant Secretary of the Treasury, suggested that the bill had been hastily drawn and was therefore imperfect, which made necessary a "liberal construction" of its terms. Dr. Andrew's theory that the bill was hastily and imperfectly constructed is not correct; but viewing it in that way the American people could certainly congratulate themselves on escaping what might have been written into the measure if its authors had not been pressed for time.

The Aldrich-Vreeland bill was passed because there had been a panic, and "emergency currency" was necessary to heal the ravages of that depression and prevent future financial trouble. That was the mask the measure wore.

The law contains twenty sections. Only two pertain to "emergency currency." The others reveal the real purpose of the measure—to furnish the machinery and prepare the public for the culmination of the scheme to legalize watered stock and bestow upon the money trust other stupendous special privileges.

Let Mr. Aldrich explain the first two sections. When the report of the conference committee was brought before the Senate, he said:

> "Sections 1 and 2 of the bill, and especially section 1, have not been discussed in the Senate. The provisions of section 1 are, first, for the formation of National Currency Associations, which shall consist of not less than ten banks and not less than $5,000,000 of capital in the aggregate. Any national bank desiring to take out additional notes as a member of these associations may make an application which, after it is approved by the Association and by the Secretary of the Treasury, will permit that bank to deposit with the Association securities whose character and value shall be approved first by the Association and then by the Secretary of the Treasury, and to take out circulating notes not exceeding 75 per cent of the value of the securities thus deposited. The Association is to determine, first, what percentage of notes will be issued upon the securities deposited, and, in the next place, the Secretary of the Treasury shall determine as to the character of the notes and as to the amount of securities which shall be deposited."

Mr. Aldrich did not emphasize certain facts in connection with section one: (1) that emergency currency could be issued on the deposit of "any securities, including commercial paper, held by a national bank;" (2) that no national bank could obtain emergency currency excepting through membership in a National Currency Association; and (3) that "the securities" were not to be deposited with the government, but with one of the National Currency Associations, made up of the biggest banks.

"Emergency currency" could be secured in this way at the time this was written by only 284 out of the whole number of national banks in the country. New York City alone, on the basis of the capitalization and surplus of her National Currency Association, would be entitled to nearly half of the whole amount that could be issued. The other two "reserve centers," Chicago and St. Louis, with Philadelphia and the Twin Cities of Minnesota, would get almost half of what remained. The Pacific states would get nothing and the western states only a paltry less than two per cent.

No use has been made of that part of the law, excepting to organize National Currency Associations which can be utilized in the larger scheme that is pending. Almost all of the remaining eighteen sections of the Aldrich-Vreeland subterfuge have been used to break and prepare the ground for the permanent plan.

Section 3 provides that national banks may issue additional bank notes on the deposit of state and municipal bonds. According to the report of the Comptroller of the Currency, national banks held, on June 7, 1911, $1,200,898,075.21 in state, county and municipal bonds. What may be a joker in this section to make it applicable also to "other securities," is a provision by which the Treasurer of the United States, with the approval of the Secretary of the Treasury, may "at any time require the deposit of additional securities, or require any association (national bank) to change the character of its securities already on deposit."

Only three other sections need be outlined here. Section 9 relates to the tax to be paid on emergency currency. That would mean little to the perpetrators and beneficiaries of a panic. In past panics, Wall Street call loans have brought as high as one per cent a day in interest. Assuming that the money trust had to pay the maximum tax—ten per cent—on emergency currency, Wall Street operators might bring on a panic under the Aldrich-Vreeland law, obtain practically the maximum amount of emergency currency, $500,000,000, and make $250,000,000 or more in net interest on that amount. If it is necessary to employ a panic to force through Congress the pending bill, a quarter of a billion in profit on the side would add zest to the performance.

In Section 11 one sees the real purpose of the money trust; there you get the connection between the Aldrich-Vreeland law and the pending bill. This section provides that the Comptroller of the Currency shall engrave upon all bank note currency the words "Secured by United States Bonds or Other Securities"—that epochal phrase through which it is possible to legalize and give permanent stability to billions and billions of watered stock.

Section 17 completes the connection between the Aldrich-Vreeland *law and the* bill that now awaits the approval of Congress. This *section gave birth to* the National Monetary Commission, which in

turn produced the pending bill. This National Monetary Commission consists of nine members of the Senate, appointed by Vice-President Fairbanks, and nine members of the House of Representatives, appointed by Speaker Cannon. Senator Nelson W. Aldrich was made chairman of the Commission and directed its activities.

This National Monetary Commission made a study of the financial systems of the world. Its investigations were obviously conducted by and for big bankers. In January last, the National Monetary Commission reported its findings, and a bill, to Congress. This bill is the one concerning which Mr. Lindbergh has been quoted.

* * * * *

What of the history of the Aldrich currency scheme, the bill of the National Monetary Commission in the last session? It was never pushed toward final passage. Why?

Obviously it was the intention of all those powerful, well-organized influences back of the bill to enact it in 1912. It was hinted, even, that a panic was quietly being arranged to make its passage sure. But in spite of all this the bill was never advanced, nor was there any attempt to advance it toward the statute books.

Congressman Lindbergh is responsible. On December 4th, 1912, he introduced a resolution calling for a special committee to investigate the money trust. That killed the Aldrich currency bill in the last session, perhaps for all time. It so changed the situation that—

*The money trust had to give its first efforts to side-tracking the Lindbergh investigation.*

*In order to avert a real investigation of its ramifications and influences Wall Street was compelled to consent to delay in the passage of the new Aldrich currency scheme.*

The presentation of the Lindbergh investigative resolution, with the knowledge that its author was determined and unafraid, entirely reversed the situation. Instantly almost, the big financial interests changed their attitude from aggressive to defensive. Their chief concern became the defeat of a bona fide investigation.

To accomplish this there was a series of backfires, of surrenders to the great money interests. In the end, it appears that a compromise was agreed to by the ruling party in the House. The democrats may have promised an investigation that would be a whitewash, in return for which Wall Street seemingly agreed not to push the passage of the Aldrich bill. The Democrats did not wish to go on record on the Aldrich bill before the election. Whatever the terms of the agreement, regardless of whether or not there was an agreement, two vital developments occurred:

1. There was no attempt to enact the National Monetary Commission bill; and

2. The investigation of the money trust was made as tame and has been delayed as much as public opinion would permit.

Let us go over this interesting situation, step by step. First there was the report of the National Monetary Commission and the introduction of their bill, which represented the culmination of the Aldrich

currency scheme. It was the intention to force this measure through the last session of Congress.

But simultaneously Lindbergh demanded the stage for an investigation into the very vitals of the money trust. The pulling of the fangs of his resolution at once became more imperative than the passage of the money trust bill.

Public opinion made the former operation a dangerous and delicate procedure. Note now how subtly it was done.

First came the Lindbergh resolution calling for a special committee of investigation.

Second, the Henry resolution, the chief object of which was to take the issue out of the hands of Lindbergh, a republican progressive, and give the democratic caucus jurisdiction. Henry's resolution, while modified and milder than the one it was intended to kill, provided also for a special committee to do the investigating. I believe that Mr. Henry and a few progressive democrats were honestly seeking an investigation by an impartial committee, but they must have known what would happen when the question was placed before the democratic caucus.

That reactionary body turned down the Henry resolution, adopting in its place an almost powerless one, providing that the regular House Committee on Banks and Banking should conduct the inquiry. Later, when this Pujo substitute was steam rollered through the House, everything indicated a whitewashing investigation.

At this point, public opinion began to influence the situation. There was such a general disposition to regard the inquiry in that form as a farce that the democratic leaders became alarmed, fearing the effect upon the pending election, and a new resolution was adopted which considerably broadened the scope of the investigation. And for a time immediately thereafter the Committee on Banks and Banking became quite active in the matter.

The investigation had hardly started, however, before it was checked by an insurmountable obstacle. *It was discovered that Congress had no inquisitorial authority over national banks.* At some time in the past, unknown to the people, perhaps without the knowledge of Congress itself, the banking interests had enacted a law which exempted national banks from every kind of inquiry excepting only such as were instituted and conducted by the Comptroller of the Currency. Today Congress has the power to investigate any and everything excepting national banks.

When this obstruction was discovered the House passed a bill repealing the law which granted immunity from Congressional inquiry to national banks, but the bill still slumbers in the Senate.

That is the present status of the investigation. But little has yet been accomplished, and a halt has been called until after the elections. What will happen after the battle of ballots one can only conjecture. With the whole matter in the hands of the Committee on Banks and Banking, a body containing several bankers and bankers' attorneys, obviously a biased, partial committee, but meagre results can be expected. Public opinion will be largely responsible for whatever is accomplished.

*Although* his resolution was smothered in the Rules Committee, and *a substitute adopted* which may ultimately whitewash the money trust, *Mr. Lindbergh performed* the greatest service of his long and useful

official life by bringing into the arena an issue which at least postponed the enactment of the new Aldrich central bank scheme.

Vicious as it has proved in its own right, the law of 1908 was but an entering wedge, the preliminary step toward currency conditions vastly more vicious. In addition to all the temporary benefits and immediate control of the financial situation which it bestows upon the money trust, the Aldrich-Vreeland law has provided the machinery and organization necessary to complete the scheme. The stage is all set for the final act.

Some of the objects of the Monetary Commission's measure, now awaiting the approval of Congress, should be summarized here. In this connection, bear in mind the legislative methods of the property power. Bad as the pending bill is now, it may be made more vicious through amendments, or the work of some conference committee, before the final vote is taken. That is usually the history of legislation which is vitally big and bad.

It is openly charged that Wall Street influences are organizing sentiment in favor of the pending bill, through the National Citizens' League. This organization, made up for the most part of citizens who are themselves deceived as to what the scheme actually contemplates, is being extended into every community of the country. In this way, the money trust is not only misdirecting public opinion, but is at the same time backfiring against any nation-wide attempt to reveal the new Aldrich bill in its true light. The propaganda of the National Citizens' League is misleading in that it characterizes the scheme as—

*"A reform";*

*"Being based upon co-operation"; and*

*"Having the opposition of Wall Street."*

It is more honest in its acknowledgment that the scheme purposes to—

*"Centralize bank reserves still more"; and*

*"Make other securities a basis of currency issue."*

The new Aldrich bill provides for branch currency associations, such as have already been formed under the Aldrich-Vreeland law, which would unite in forming a National Reserve Association. Regardless of what its sponsors may claim, the National Reserve Association would be a gigantic central bank, which could be manipulated by Wall Street. The relations and results of this central bank corporation—a private monopoly infinitely greater than any the country has ever known—might be summarized as follows:

*The Government*—(1) The National Reserve Association would be the government's agent in all its fiscal affairs; (2) it would be the depository of all government funds; (3) it would take from the government one of its most exclusive prerogatives—that of issuing currency.

*"Other Securities"*—It is proposed to supplant our U. S. bond secured currency by money issued by the National Reserve Association on the basis of watered stock or any securities held by banks. On June 7th,

1911, according to the Report of the Comptroller, national banks held securities as follows:

| | |
|---|---|
| Railroad bonds | $1,602,130,358.08 |
| Municipal bonds, etc. | 1,200,898,075.21 |
| Public utilities | 550,192,266.65 |
| Other stocks | 925,180,526.51 |
| Total stocks, etc. | $4,278,401,226.45 |
| Loans | 13,002,654,651.03 |
| Total | $17,281,055,877.48 |

Contrast the above figures with these totals for the same date:

| | |
|---|---|
| U. S. bonds held by national banks | $773,455,177.84 |
| Whole amount bank note currency | 728,194,508.00 |

With the proposed scheme, as under the Aldrich-Vreeland law, it might be possible for the money trust even to use notes so worthless as to be uncollectable as a basis of currency issue.

*Banking* would be given absolutely into the hands of the money trust. Big banks would grow bigger and small banks weaker, or else servants of the system. At any time a purely commercial bank refused to "feed" the central bank, or do its bidding in any direction, it could be forced out of business.

*Commercially*—The new scheme could make the National Reserve Association the master monopoly. Every industry, regardless of size or strength, would be dependent upon its manipulations.

*Politically*—The National Reserve Association could be supreme. It would have the power to withhold credit from any individual or any publication.

In brief, the new Aldrich bill as presented to Congress by the National Monetary Commission, would (1) consummate the scheme of the money trust to give value and permanent stability to watered stock by making it a basis of currency issue; and (2) through control of the currency and credits of the whole country, the Wall Street central bank would control the nation's industries and its politics. Those are the two big things which the money trust is seeking; they include all other special privileges that might be desired.

Possibly this scheme also anticipates the early triumph of co-operation in this country. If there is to be government ownership of transportation and public utilities, if the socialization of industrial institutions is ultimately to come, then the master capitalists are certainly wise, as well as selfish, in seeking now to increase the selling price of their railroads and trusts through legalizing the fictitious element of capitalization.

# CHAPTER VI

## *THE NEW ELEMENT*

Students of American history will find a special interest in the Sixty-second Congress. Then, for the first time since the birth of the nation, a socialist sat as a member of the House of Representatives.

From every point of view, this socialist congressman represents a vitally new element in national legislation.

His constituency, consisting of about a million voters scattered throughout the country, are a new kind of political people. The socialist party has been built upon a different basis than any other of our time. It has grown, from the bottom upward, in an evolutionary way, rather than in response to any such spontaneous feeling as gave rise to the republican party of ante-bellum days. It is an organization rather than a party. Its leaders exert comparatively small influence. Its great strength exists in the very definite industrial program that actuates every member. The basic phases of the socialist program as clearly understood by all its adherents. The rank and file of socialists are practically of one mind as citizens, working together almost as a unit, knowing no sectionalism and but little of the sentiment of race or nation. There is less of the narrower "patriotism" among socialists than in any other political organization. Fundamentally, its members are part of a world movement.

Socialism represents an economic idea different from any ever tried on a country-wide scale. It stands for political democracy, but goes farther and seeks industrial democracy as the chief end of government. It holds that political democracy is relatively but an incident in the attainment of industrial democracy—the cooperative commonwealth. From its inception, socialism has demanded equal suffrage and the completest control by the people of elections and legislation, local, state, and national. Progressives, both within and without the old parties, now advocate much the same political program. But there all analogy ends. The old parties, and the new progressive party as well, are founded upon the theory of competition and depend upon that principle for the solution of industrial problems. Socialists stand for the collective ownership of the means of production and distribution—broadly speaking, for the widest practical application of the principle of cooperation.

The further fact that socialism is growing marvelously in this country and is destined soon to have quite a minority representation in congress, perhaps even to control congress within a decade or two, justifies an impartial report of the record of Victor L. Berger, the first and only socialist congressman, and the socialist program as it has been partly presented to congress through him.

* * * * *

When I asked Mr. Berger for a statement of what he had done as the first socialist congressman, he did not answer. But he did outline

two of the big things which he had in mind to do when he entered congress. In substance, they were as follows:

1. *To place before congress certain socialist measures, as they would be presented, were the socialists in control and possessed of power to enact them into law.*

2. *To hold himself in readiness, at all times, to serve any individual or any community that was in need.*

* * * * *

The bills introduced by Mr. Berger should be considered under two classifications—political and industrial. I shall not attempt to do more than name some of the more important in each class.

THE SOCIALIST PROGRAM

During the two sessions of the Sixty-second Congress, Berger introduced twenty-four measures. Eleven reflected his party platform, five represented the interests of labor, four dealt with problems peculiar to the District of Columbia, one demanded the recall of the troops from the Mexican border, one called for the impeachment of a corrupt federal judge, one requested an investigation of the federal mints, and one represented a local need of his home constituents. A few of the political bills were:

*A Constitutional Convention*—One of Berger's first measures was a joint resolution giving congress the right to call a constitutional convention. This, of course, recognized that the federal constitution is at present imperfect and inadequate for the needs of the country; and also that its amendment should be made simpler and easier for the people.

*Abolishing "Checks"*—On April 27, 1911, Berger introduced a joint resolution abolishing the Senate, the veto powers of the President and the power of the courts to invalidate acts of congress.

*Woman Suffrage*—Another joint resolution proposed a constitutional amendment granting suffrage to women.

*Self Government for the District of Columbia*—Mr. Berger was a member of the District of Columbia Committee and introduced several measures to better the economic conditions of the District and to revive its deadened spirit of democracy. Among these was one abolishing congressional control and giving the people the right of suffrage and an opportunity to govern themselves.

The more important industrial measures proposed by Mr. Berger would include:

*Government Ownership of Public Utilities*—On January 31, 1912, Berger introduced a bill providing for public ownership and control of railroads, telegraph, telephone and express properties.

He also introduced a bill giving the government ownership of wireless companies.

*Public Ownership of Trusts*—Perhaps the most radical departure

from orthodox industrial ideas was involved in the Berger bill repealing the anti-trust act and providing for the social ownership and operation of certain monopolized industries. This measure recognized that the trusts are institutions which cannot be destroyed, that competition cannot end their exploitation of the people, and that they should be made to serve, and not to oppress, the people through an application of the principle of cooperation.

*Old Age Pensions*—Through the Berger bill providing for old age pensions one gets a good view of the socialist attitude toward industry. While not opposing pensions to needy survivors of war, Mr. Berger contended that "veterans of industry" were even more worthy of governmental aid. War is waste, and barbarous; industry is necessary, and contributes to the general welfare. In other words, Mr. Berger and the socialists would place pensions upon a basis of the pensioner's need rather than upon the single issue of patriotism; upon service to society rather than upon sentiment.

*Child Labor*—Among the Berger bills in the interest of the laboring class is one prohibiting the employment of children by the federal government.

Mr. Berger did not present the complete socialist program for the cooperative commonwealth, but confined himself chiefly to ameliorative measures.

None of these bills were acted upon by the committees to which they were sent.

* * * * *

**As Congressman At Large**

Mr. Berger holds that a congressman is the servant of the whole country. It was in compliance with this conception of congressional service that he placed himself at the disposal of people and communities outside of his own district. Even though he had been inclined to a different view, the fact that he was the only socialist representative in Washington would have compelled him to act as congressman-at-large for that party throughout the nation.

This condition entailed upon Mr. Berger many times the correspondence and detailed labor that fell to the lot of any democrat or republican. He was called upon continually for all manner of things from all over the country. Frequenty he appeared before the President and the various departments to plead for political refugees and to advance the interests of people who suffered unjust oppression from any cause.

Two of the greatest achievements of the last session were instituted by Mr. Berger. One of these was the investigation of the Lawrence strike, which led to the settlement of that controversy. The other was the investigation of Federal Judge Hanford, which was followed by the inevitable resignation of that official. In both of these matters, Mr. Berger was carrying out his idea of fighting the battles of needy classes and individuals regardless of whether or not they lived in his district.

In all such matters Mr. Berger was completely free to act. He represented a party that had no connections, either immediate or remote,

with predatory corporations; he never found it necessary to hesitate "for the sake of his party's good," nor to feel the restraining influence of any suggestion of compromise or delay. Mr. Berger was unfettered, far beyond the freedom of other members, with the exception of a very few like Kent and Lindbergh.

* * * * *

In point of character and equipment, Victor L. Berger is well qualified to fill the difficult position of the first and only socialist congressman. He has in remarkable degree the patience that forerunners of vital movements must always possess. For nearly a quarter of a century he bore the brunt of the battle for socialism in Milwaukee, going down to defeat year after year with but a handful of supporters. Yet he persisted. Finally the tide turned and three years ago the government of that city was won by his party. He is an indefatigable worker, both from habit and necessity. Although essentially an enthusiast, a crusader, he has disclaimed the "impossibilist" phases of socialism and advocates the practical and possible principles of cooperation.

A majority of Americans at present disagree with the fundamental tenets of socialism; a rapidly growing minority do accept the principles of that party. Regardless of which position is right, there can be no doubt that it has proved a good thing for the country to have a socialist congressman. He has brought to the national legislature a new point of view, the common citizen's dollars and cents interest in government. In 1909, the average wage earner produced $1,290, for which he received an average wage of $518, or approximately but forty per cent. It is such crucial facts concerning the competitive system that Mr. Berger has presented to congress and the country.

# CHAPTER VII

## *CONCERNING PARCELS POST*

The crucial facts about parcels post legislation in the last session can be suggested in a few words. Politically, it was a dangerous question. On one side was the powerful, parasitic express companies, with all their corporation connections, and aided also by the retailers of the country who feared that their mail order competitors might profit from an adequate parcels post law. The proponents of parcels post were backed—and pushed—by an uncompromising public sentiment.

Such a situation—powerful predatory interests versus public opinion—always serves to illuminate the dark elements of legislation.

In this case, the express companies scored first. It was found impossible to secure action on any good parcels post bill through the regular committee channels. The committee was "reluctant" and, as has been explained, there was no way in which the majority could compel a committee to report a measure to the House.

But the enlightened, belligerent state of sentiment made that course unsafe, and there were arrangements to make parcels post an alien part of the post office appropriation bill. The viciousness of this method of making laws has also been exposed in a preceding chapter.

Then the express monopoly scored again. The parcels post provisions put into the appropriation bill were weak and grossly inadequate. When the Anderson bill was offered as a substitute it was defeated, without a roll call, by a vote of 99 to 88. Next came the real test. In order to get a record vote on the bill, Minority Leader Mann arose to make a motion to recommit, with instructions to the committee to return the appropriation measure to the House with what amounted to the Anderson bill as an amendment.

Here Speaker Clark came to the rescue of the dodgers and in what is thought to be the most arbitrary act of his administration recognized Madden instead of Mann. The former backfired by making a motion to recommit in such a form that it would be voted down and at the same time involve no vote on parcels post.

Public opinion, however, was yet to triumph. So long as the situation could be manipulated in such a way that a direct roll call vote could be averted, an adequate parcels post bill had no chance of passage in the House. It became solely a question of driving the dodgers into the open. This was done by the Senate. The upper body amended the post office appropriation bill by attaching the Bourne-Anderson provisions for parcels post and sent it back to the House. That forced the House majority to meet this issue squarely, and they did not dare openly to defeat the reform.

That is why the last session enacted a parcels post law.

# CHAPTER VIII

## *PERQUISITES AND POLITICS*

The first regular session of the Sixty-second Congress was of almost unprecedented length. The reasons for its failure to do its work and adjourn seasonably have been suggested. In at least one other direction was this session supremely "political." It was characterized by an abuse of congressional privileges which, if not exceeding, must closely approach, the record in that respect.

I have no desire to bring individual Representatives or Senators into disrepute through an exposure of their abuses of the "leave to print" and other privileges; my only purpose is to reveal the vicious system which prevails. This can be done as well through a single illustration as a hundred; therefore, I shall cite but one example.

First, the principle should be made clear: members take advantage of the opportunities given them as public officials to advance their own personal interests—to do at the expense of the people those things which they should pay for privately.

The saving of postage is the great temptation. This involves usually a double abuse—(1) of the "leave to print" in the record and (2) of the franking privilege.

Members of either branch can get almost anything into the Congressional Record, where it becomes frankable. Millions and millions of copies of all manner of speeches and documents—some good, many of value only to one or a few individuals—are mailed free every year. That is one reason why the public has to pay two-cent letter postage. When any matter is printed in the Congressional Record, a member has to pay only for having it reprinted. Uncle Sam furnishes the envelopes and postage, regardless of whether one or a million are used.

One of the most glaring and inexcusable abuses of the "leave to print" privilege is found on page 9605 of the Congressional Record, under date of July 15, 1912. It is purely and simply a personal campaign document, inserted in the record by Congressman John E. Raker, of California, for the obvious purpose of saving expense in getting his "platform" before the voters of his district.

This most remarkable address was never delivered to the House, of course; if Mr. Raker had attempted to talk to his colleagues in the language used, probably he would have been laughed out of the chamber. Beginning with "Mr. Speaker"—as though addressed to the House—the article proceeds to speak directly to Raker's constituents. Following a reproduction of his personal platform in the election of 1910, he goes on to say:

> "My work as your Representative in Congress, and the CONGRESSIONAL RECORD, will show that I have labored earnestly and hard to carry out these principles."

Then Mr. Raker—in this ostensible speech in Congress—proceeded *to tell the* electorate of his district of his personal record as their *congressman.*

Next he recited the principles and promises upon which he sought re-election.

Mr. Raker closed his personal campaign document—printed in the Congressional Record, and therefore frankable—with these paragraphs:

"You generally know whether or not I have given proper care and attention to the interests of the people of the district. No letter has been left unanswered and no inquiry passed by unnoticed and without care and attention.

"My attention has been given, maybe not always properly and wisely, but anyway the best that could be given and done. I have endeavored to do as your Representative what I promised I would do when seeking this responsible and honorable position at your hands. How well I have done this, you must be the judge. My conscience knows that I have faithfully and truly striven to accomplish it. This will be my promise for the future. Many needs and wants of this district and State have been impressed upon me by personal contact and knowledge and by individuals as well as by the newspapers. Some of the many requirements are set out in this statement, and these and all other just and progressive principles will receive my best efforts.

"If my past course, work, and conduct have been such that you can reasonably approve them, considering the inexperience, the principles that I have and do stand for and those that have been carried out and enacted into laws, then I most respectfully request that you give me an opportunity to use this experience for more and better work and better results.

"The approval of my work as your Representative in Congress is therefore earnestly solicited."

Mr. Raker, in this connection, is not very different from many other politicians in Congress. He represents a type; it should be understood also that his abuse of congressional privileges is not fundamentally different from those of other members.

The people pay the price and are entitled to all the fun they can get out of Congress. I have considered this also in selecting Mr. Raker through whom to illustrate the misuse of the "leave to print" perquisite. No one can read his frankable-made-in-Washington-campaign-address from "Mr. Speaker" through to "The approval of my work as your Representative in Congress is earnestly solicited" without being considerably amused.

# CHAPTER IX

## *STRIKING THE BALANCE*

The progressive element in Congress centered first in Wisconsin. Senator LaFollette was its pioneer exponent. Several others from that state, like Lenroot, Nelson, Cooper and Morse, soon became conspicuous in the new movement. Then Minnesota, through Lindbergh, Davis, Clapp and Anderson; Iowa, with Dolliver, Cummins, Kenyon, Haugen, Hubbard and Woods; Nebraska, with Norris; Kansas, with Madison, Jackson and Murdock, and North Dakota, in the persons of Gronna and Helgesen, joined Wisconsin and gave to a little group of middle states the real sponsorship of the new order in national legislation.

Oregon, in the far west, led the insurgency of that section. Bourne and Chamberlain, through their great work in the Senate, placed that state in the forefront, and soon the progressive movement spread, both north and south, along the Pacific coast. Washington now has Poindexter, Warburton and LaFollette, and California enjoys equal progressive distinction through Kent, Works and Stephens.

California, Oregon and Washington, in the West, represent one sectional element of the progressive strength of Congress; Wisconsin, Iowa, Minnesota, Nebraska, Kansas and North Daokta, the other.

Only in isolated cases can other parts of the country be called progressive. Idaho has Borah and French; Montana, Dixon; Oklahoma, Gore and Owen; New Mexico, Curry; and Indiana, Kern, Shively and Gray.

The South has practically no conspicuous progressives. Lea of Tennessee and Roddenbery of Georgia are exceptions. In all of the eastern states there is but one fighting insurgent—Akin of New York.

The South, with two reactionary states from the east—New York and Pennsylvania—controls both branches of Congress.

Considered by states, the present congressional situation might be summarized:

*Alabama*—Undoubtedly the most powerful in its influence upon both branches of Congress of any state in the Union; its delegation is all democratic, and thoroughly reactionary.

In the Senate, Joseph F. Johnston is usually the leader on the democratic side of the reactionary combination of southern democrats and eastern republicans; J. H. Bankhead is also a reactionary.

Oscar W. Underwood, the democratic floor leader, easily dominates the House delegation from Alabama, which is an able one. The other members are G. W. Taylor, S. H. Dent, Jr., H. D. Clayton, F. L. Blackmon, J. T. Heflin, R. P. Hobson, J. L. Burnett, Wm. Richardson.

*Arizona*—But recently admitted as a state. Its new senators are M. A. Smith and H. F. Ashurst, both democrats, who have not been *in Congress* long enough to have distinctive records.

*Arizona is represented* in the House by Carl Hayden, a democrat. *He has been a member* less than a year.

*Arkansas*—Represented in the Senate by James P. Clarke and Jeff Davis, semi-progressive democrats.

This state has one of the most harmonious delegations in the House. Robert Bruce Macon, William A. Oldfield, H. M. Jacoway, W. S. Goodwin, John C. Floyd, Ben Cravens, and Joseph T. Robinson are the members, most of whom voted progressively in the democratic caucus.

*California*—Has an uncompromising progressive senator in John D. Works; his colleague, George C. Perkins, is as thoroughly reactionary.

This state has two progressives in the House, William Kent and W. D. Stephens, the former being the most independent man in Congress; the reactionary representatives from California are Julius Kahn, Joseph R. Knowland, James C. Needham, Sylvester C. Smith and Everis A. Hayes, the first two dominating that element. John E. Raker is a caucus democrat.

*Colorado*—S. Guggenheim, a leading reactionary republican, is the only senator from this state.

The House members, E. T. Taylor, A. W. Rucker and J. A. Martin, are democrats who voted progressively at times.

*Connecticut*—Has a typical eastern delegation, all reactionary. Its senators are F. B. Brandegee and G. P. McLean, republicans.

The House delegation consists of Thomas L. Reilly, an organization democrat; and John Q. Tilson, E. Stevens Henry, Edwin W. Higgins, and Ebenezer J. Hill, republicans, the latter being more a conservative than a reactionary.

*Delaware*—Has two reactionaries in the Senate, Henry A. du Pont and H. A. Richardson, and one reactionary in the House, William H. Heald—all republicans.

*Florida*—Wholly democratic in both branches. One of its senators, N. P. Bryan, votes progressively; the other, D. U. Fletcher, is a reactionary.

In the House, Florida has Stephen M. Sparkman, Frank Clark and Dannitte H. Mays, all regulars.

*Georgia*—One of the southern states where there is some evidence of growing progressive influence. In the Senate, A. O. Bacon is reactionary, but Hoke Smith is usually found with the progressives.

S. A. Roddenbery, although submitting to the caucus, is one of the most fearless, independent fighters in congress and a thorough insurgent; Samuel J. Tribble is also progressive and William Schley Howard and Dudley M. Hughes are inclined that way. The other Georgia representatives, Charles G. Edwards, William C. Adamson, Charles L. Bartlett, Gordon Lee, Thomas M. Bell, Thomas W. Hardwick and William G. Brantley are regulation democrats.

*Idaho*—Has in the Senate William E. Borah, a fighting progressive, and Weldon B. Heyburn, a chronic constitutional reactionary.

The only House member from this state is Burton L. French, a dependable progressive.

*Illinois*—Since Lorimer's expulsion this state's only senator is Shelby M. Cullom, reactionary.

Its House delegation consists of the following thirteen republicans: Joseph G. Cannon, James R. Mann, William B. McKinley, William A. Rodenberg, Martin B. Madden, George E. Foss, Charles E. Fuller, James McKinney, George W. Prince, John A. Sterling, Napoleon B. Thistlewood, Ira C. Copley, William W. Wilson and John C. McKenzie, all regulars, with the three last named inclined at times to be progressive.

Among the democrats from this state, Martin D. Foster, H. Robert Fowler and Frank Buchanan are progressive; Henry T. Rainey partly so; while Lynden Evans, Thomas Gallagher, and Claudius U. Stone displayed considerable independence. James M. Graham, Edmund J. Stack, James T. McDermott and Adolph J. Sabath are organization democrats.

*Indiana*—Has two democratic senators, John W. Kern and B. F. Shively, both able, independent progressives.

Twelve of its thirteen House members are democrats. Among these, Finly H. Gray is conspicuous as a progressive and the only anti-caucus insurgent in the whole House; William A. Cullop, William E. Cox, George W. Rauch, Lincoln Dixon, Ralph W. Moss and John A. M. Adair, although caucus democrats, as a rule voted progressively when the caucus gave them opportunity to do so; the other Indiana House democrats, John W. Boehne, Charles A. Korbly, Martin A. Morrison, Cyrus Cline and Henry A. Barnhart, may be called regulars. Edgar D. Crumpacker is an organization republican, with mild progressive inclinations on the tariff.

*Iowa*—Has one of the most influential delegations in congress. Its senators, A. B. Cummins and William S. Kenyon, are both able progressives.

The dominating figure in Iowa's House delegation is Frank P. Woods, the best organizer among the progressives; Gilbert N. Haugen and Elbert H. Hubbard—the latter now deceased—were equally progressive; Charles A. Kennedy, Horace M. Towner and Charles E. Pickett are regulars, while N. E. Kendall, James W. Good, S. F. Prouty and William R. Green occupy middle ground. I. S. Pepper, the only democrat from Iowa, opposed the open caucus but at times voted progressively in the caucus.

*Kansas*—The senators from this state balance each other, Joseph L. Bristow being a progressive leader, while Charles Curtis is an influential reactionary.

In the House, Victor Murdock and Fred S. Jackson are progressives, with I. D. Young and Rollin R. Rees almost in that class; Philip P. Campbell and Daniel R. Anthony, Jr., rank as reactionaries; George A. Neeley and Joseph Taggart, the only democrats in this delegation, are organization men.

*Kentucky*—William O. Bradley, a reactionary republican, and T. H. Paynter, a reactionary democrat, are the two senators.

The House delegation from this state contains several alleged progressives whose caucus records hardly bear out that assumption; no Kentucky democrat voted for the open caucus. The democratic congressmen are Ollie M. James, Augustus O. Stanley, R. Y. Thomas, Jr., Ben Johnson, Swager Sherley, Arthur B. Rouse, James C. Cantrill,

Harvey Helm and W. J. Fields. The two republican House members, John W. Langley and Caleb Powers, are regulars.

*Louisiana*—Has two reactionary senators in Murphy J. Foster and J. R. Thornton.

Its House delegation is reactionary and has large influence; only Robert C. Wickliffe, deceased, was inclined to be progressive. The other democratic congressmen from this state are Albert Estopinal, H. G. Dupre, Robert F. Broussard, John T. Watkins, Joseph E. Ransdell and Arsene P. Pujo.

*Maine*—Has two democratic senators, Obadiah Gardner and C. F. Johnson, both progressive.

Its two House republicans, Asher C. Hinds and Frank E. Guernsey, are regulars, which is also true of Daniel J. McGillicuddy and Samuel W. Gould, democrats.

*Maryland*—Both Senators, Isador Rayner and J. W. Smith, are democratic reactionaries.

The democratic representatives from this state, J. Harry Covington, Joshua F. C. Talbott, George Konig, John C. Linthicum and David J. Lewis, are all regulars; the latter, however, did good work in favor of an adequate parcel post law. Thomas Parran is a regular republican.

*Massachusetts*—The senators from this state, W. M. Crane and H. C. Lodge, are among the reactionary leaders of the upper body.

While the House delegation is not progressive, it contains a number of men of fine character and ability. The republican congressmen are Samuel W. McCall, Augustus P. Gardner, Frederick H. Gillett, George P. Lawrence, William H. Wilder, Butler Ames, Ernest W. Roberts, John W. Weeks, William S. Green and Robert O. Harris.

Among the four democratic congressmen from this state, John A. Thayer is a progressive and William F. Murray, another new member, leans that way; James M. Curley and Andrew J. Peters are organization democrats.

*Michigan*—Both senators, C. E. Townsend and William A. Smith, are regular republicans and reactionary.

The House delegation comprises two democrats and ten republicans. The dominating figure is Joseph W. Fordney, a reactionary of the Tawney type; the other republicans are Henry McMorran, H. Olin Young, J. M. C. Smith, Edward L. Hamilton, Samuel W. Smith, James C. McLaughlin, George A. Loud, Francis H. Dodds and William W. Wedemeyer, none of them being progressive excepting the last named, who is inclined that way. Frank E. Doremus and Edwin F. Sweet are democrats and supposedly progressive, although both voted against the open caucus and with Underwood on the money trust resolution.

*Minnesota*—The senior senator, Knute Nelson, is a reactionary of the old school, while Moses E. Clapp, the other senator, is progressive.

This state has three of the most able and influential leaders of the progressive republican group in the persons of Charles A. Lindbergh, Charles R. Davis and Sydney Anderson. Two of its other republican congressmen, Clarence B. Miller and Andrew J. Volstead, are mildly

progressive, while Halvor Steenerson stands just below the progressive plane; Frank M. Nye and Frederick C. Stevens are reactionary. W. S. Hammond, the only democrat in the Minnesota delegation, is a caucus regular, he even voting against the open caucus.

*Mississippi*—Both senators, LeRoy Percy and John Sharp Williams, are typical reactionary southern democrats.

The House delegation from this state is higher than the average from the south, although none of these democrats have risen above the caucus level. Several of them, however, have stood quite consistently for better things. B. P. Harrison led the fight for the open caucus; Thomas Upton Sisson, Ezekiel S. Candler, Jr., Hubert D. Stephens and Samuel A. Witherspoon have strong progressive inclinations; Benjamin G. Humphreys has a good conservation record. William A. Dickson and James W. Collier are the other House members.

*Missouri*—Has more politicians to the square inch than any other state.

Its senators, James A. Reed and William J. Stone, are democrats, the first progressively inclined, the other a regular.

In the House, this state had three republicans: Richard Bartholdt, Theron E. Catlin, who was unseated, and L. C. Dyer, all reactionaries; and thirteen democrats who are regulars almost without exception. They are J. T. Lloyd, W. W. Rucker, J. W. Alexander, C. F. Booher, W. P. Borland, C. C. Dickinson, C. W. Hamlin, D. W. Shackleford, Champ Clark, W. L. Hensley, J. J. Russell, J. A. Daugherty, and T. L. Rubey.

*Montana*—Both senators, Joseph M. Dixon, republican, and Henry L. Myers, a democrat, are fairly progressive.

Montana has only one House member, C. N. Pray, a regular republican.

*Nebraska*—This state is represented in the Senate by Norris Brown, a republican, and G. M. Hitchcock, a democrat, both mildly progressive.

In the House, G. W. Norris is a leader of the progressive republican group; Charles H. Sloan and Moses P. Kinkaid, the other republicans, are half and half. The three democrats, John A. Maguire, C. O. Lobeck and Dan V. Stephens, are as progressive as caucus-bound partisans can be.

*Nevada*—Had F. G. Newlands, a progressive democrat, and George S. Nixon, a reactionary republican, now deceased, in the Senate.

The only House member is E. E. Roberts, a reactionary republican.

*New Hampshire*—Has in the Senate H. E. Burnham and J. H. Gallinger, reactionary republicans.

In the House, C. A. Sulloway and F. D. Currier, are republicans of the old school.

*New Jersey*—The representation from this state in both branches is vastly improved over that of a few years ago. Frank O. Briggs, a remnant of the old Aldrich oligarchy, still remains in the Senate, but J. E. Martine, a progressive democrat, has replaced John Kean.

In the House, William J. Browning, John J. Gardner and Ira W. Wood are old order republicans; the democratic members comprise

William Hughes, Eugene F. Kinkead, Thomas J. Scully, William E. Tuttle, Jr., Edward W. Townsend, James A. Hamill and Walter I. McCoy, some quite progressive, but all organization men.

*New Mexico*—Being a new state has had representatives in congress but a short time.

Its senators are T. B. Catron and A. B. Fall, republicans.

Its House members are George Curry, republican, and Harvey B. Ferguson, a democrat.

*New York*—Has Elihu Root, probably the ablest republican reactionary of that body, and James A. O'Gorman, a progressive democrat, in the Senate.

In the House, its twenty-two democrats, led by John J. Fitzgerald, the democratic friend of Cannon, are all machine-made and machine-led; Tammany and Wall Street are, without doubt, directly represented by several in this group; among them Henry George, Jr., alone should be excepted, although his good work in congress has been marred by subserviency to the reactionary organization of his party, he even voting against the open caucus. The other democratic House members from New York are M. W. Littleton, G. H. Lindsay, J. P. Maher, F. E. Wilson, W. C. Redfield, D. J. Riordan, H. M. Goldfogle, W. Sulzer, C. V. Fornes, M. F. Conry, J. M. Levy, J. J. Kindred, T. G. Patten, F. B. Harrison, S. B. Ayres, R. E. Connell, C. A. Talcott, E. S. Underhill, D. A. Driscoll, C. B. Smith, all regulars.

With the exception of Theron Akin, the republicans are all of the standpat order; the list includes W. M. Calder, J. E. Andrus, T. W. Bradley, W. H. Draper, H. S. DeForest, G. W. Fairchild, L. W. Mott, M. E. Driscoll, J. W. Dwight, S. E. Payne, H. G. Danforth, J. S. Simmons and E. B. Vreeland.

*North Carolina*—This state has a delegation in both branches solidly democratic and typically southern. Its senators are L. S. Overman and F. M. Simmons.

Its House members are J. H. Small, C. Kitchin, J. M. Faison, E. W. Pou, C. M. Stedman, H. L. Godwin, R. N. Page, R. L. Doughton, E. Y. Webb, J. M. Gudger, Jr.

*North Dakota*—The senators are A. J. Gronna and P. J. McCumber, both republicans, the first a progressive leader, the other most reactionary.

Practically an identical situation exists in the House; H. T. Helgesen is one of the most prominent of the progressive republican group, while L. B. Hanna is an organization republican of the stand-pat school.

*Ohio*—A. Pomerene, a progressive democrat, and T. E. Burton, reactionary republican, are the senators.

The House members from this state include Nicholas Longworth, Frank B. Willis, Robert M. Switzer, Edward L. Taylor, Jr., and Paul Howland, organization republicans. None of the sixteen democrats from this state made any attempt to break away from caucus incarceration, but the general work of James M. Cox and R. J. Bulkeley entitle them to distinction as progressive. The other Ohio democrats in the House are A. G. Allen, J. H. Goeke, T. T. Ansberry, M. R. Denver, J. D. Post, I. R. Sherwood, H. C. Claypool, C. C. Anderson, W. G. Sharp, G.

White, W. B. Francis, W. A. Ashbrook, J. J. Whitacre and E. R. Bathrick.

*Oklahoma*—Has two of the ablest progressive democratic senators in Thomas P. Gore and Robert L. Owen.

The House delegation from this state is not of such a high order. Bird S. McGuire and Dick T. Morgan are reactionary republicans; while James L. Davenport, Charles D. Carter and Scott Ferris are organization democrats.

*Oregon*—Jonathan Bourne, Jr., republican, and George E. Chamberlain, democrat, are among the most conspicuous progressives in the Senate.

The House members from this state are Willis C. Hawley and A. W. Lafferty. The former is reactionary, the latter usually progressive.

*Pennsylvania*—In the Senate the mantle of Aldrich has fallen upon Boise Penrose, while George T. Oliver, the other senator, is just as reactionary in all but leadership.

The republican side of the House delegation from this state is regular to a man; the dominating figure, of course, is John Dalzell, ably seconded by Marlin E. Olmsted and J. Hampton Moore; the other republican congressmen are W. S. Reyburn, R. O. Moon, G. D. McCreary, T. S. Butler, W. W. Griest, J. R. Farr, C. C. Bowman, W. D. B. Ainey, B. K. Focht, J. L. Hartman, D. F. Lafean, C. E. Patton, T. S. Crago, C. Matthews, A. L. Bates, J. N. Langham, P. M. Speer, S. G. Porter, J. F. Burke, A. J. Barchfeld.

Among the democratic members are William B. Wilson, Robert E. Difenderfer, M. Donohoe, R. E. Lee, J. H. Rothermel, J. G. McHenry, C. H. Gregg, A. M. Palmer; several of whom are progressive.

*Rhode Island*—Has in the Senate H. F. Lippitt and G. P. Wetmore, both reactionary republican regulars.

In the House, George H. Utter, a republican, and George F. O'Shaunessy, a democrat, are machine men.

*South Carolina*—Has a solid democratic delegation in both branches. Its senators are Ellison D. Smith and Benjamin R. Tillman, the former usually progressive.

Its House members are G. S. Legare, J. F. Byrnes, W. Aiken, J. T. Johnson, D. E. Finley, J. E. Ellerbe, and A. F. Lever, none of whom are entitled to be classed with progressives.

*South Dakota*—This state has in the Senate R. J. Gamble and Coe I. Crawford, both republicans, the former being reactionary and the latter usually progressive.

Its House members are Charles H. Burke and Eben W. Martin, both reactionary.

*Tennessee*—The senators are Luke Lea, democrat, the leading insurgent in that body from the South, and Newell Saunders, a regular republican.

There are two reactionary republicans in the House, Samuel R. Sells and Richard W. Austin; the democratic members are Thetus W. Sims, John A. Moon, Cordell Hull, William C. Houston, Jos. W. Byrns, Lemuel P. Padgett, F. J. Garrett, Kenneth D. McKellar.

*Texas*—Has two democratic reactionaries, Joseph W. Bailey and C. A. Culberson, in the Senate.

None of the large House delegation form this state, all democrats, have stood out very consistently as progressives. Robert L. Henry as Chairman of the Rules committee, and Albert S. Burleson as Chairman of the Democratic Caucus, had important parts to play in the House machine. This delegation includes M. Sheppard, M. Dies, J. Young, C. B. Randell, J. Beall, R. Hardy, A. W. Gregg, J. M. Moore, G. F. Burgess, O. Callaway, J. H. Stephens, J. L. Slayden, J. M. Garner and W. R. Smith.

*Utah*—Has in the Senate Reed Smoot and George Sutherland, reactionary republicans.

In the House, Joseph Howell, a reactionary republican.

*Vermont*—Had a solid reactionary republican delegation; W. P. Dillingham and C. S. Page in the Senate; and

David J. Foster, deceased, and Frank Plumley in the House.

*Virginia*—C. A. Swanson and Thomas S. Martin are the senators, both democrats and both reactionary.

The House delegation consists of C. Bascom Slemp, republican, and W. A. Jones, E. E. Holland, J. Lamb, R. Turnbull, E. W. Saunders, C. Glass, J. Hay, C. C. Carlin, and H. D. Flood, democrats, all regular.

*Washington*—W. L. Jones, reactionary, and Miles Poindexter, progressive, are the republican senators.

In the House, Stanton Warburton and William L. La Follette are leading progressive republicans, while William E. Humphrey is an old guard republican of the stand-pat type.

*West Virginia*—The reactionary forces have the two senators from this state, William E. Chilton and C. W. Watson, both democrats.

In the House, James A. Hughes, a reactionary, is the only republican. John W. Davis, William G. Brown, Jr., Adam B. Littlepage, and John M. Hamilton, the other members, are organization democrats.

*Wisconsin*—This state has in the Senate Robert M. La Follette, the pioneer republican progressive, and Isaac Stephenson, an old guard republican.

Its House delegation contains more leading progressive republicans than any other single state can claim. The list includes Henry A. Cooper, John M. Nelson, E. A. Morse and Irvine L. Lenroot; William J. Cary and James H. Davidson have also voted progressively on most questions, while Arthur W. Kopp and John J. Esch have stood upon a plane just below. Michael E. Burke and Thomas F. Konop are organization democrats, the latter even voting against the open caucus.

Victor L. Berger, the only Socialist ever elected to Congress, is from Wisconsin.

*Wyoming*—C. D. Clark and F. E. Warren, republican reactionaries, are the senators from this state.

Its only House member is Frank W. Mondell, a machine republican and a leading reactionary.

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